

1942

## CONGRESSIONAL RECORD—HOUSE

MARCH 7

THREE HUNDREDTH ANNIVERSARY OF  
ANNAPOLIS, MD.

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 22) to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

The SPEAKER. The Chair desires to state that he has consulted with the gentleman from Tennessee and understands the gentleman from Tennessee has cleared this matter with the majority Members on both sides.

Mr. MURRAY of Tennessee. That is correct.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

*Resolved, etc., That the Postmaster General is authorized and directed to prepare for issuance in May 1949 a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the three hundredth anniversary of Annapolis, Md.*

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATION OF THE CENTRAL  
INTELLIGENCE AGENCY

Mr. SASSER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, as amended.

The SPEAKER. The Clerk will report the bill as amended.

The Clerk read as follows:

*Be it enacted, etc.,—*

## DEFINITIONS

SECTION 1. That when used in this act, the term—

(a) "Agency" means the Central Intelligence Agency;

(b) "Director" means the Director of Central Intelligence;

(c) "Government agency" means any executive department, commission, council, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government; and

(d) "Continental United States" means the States and the District of Columbia.

## SEAL OF OFFICE

SEC. 2. The Director of Central Intelligence shall cause a seal of office to be made for the Central Intelligence Agency, of such design as the President shall approve, and judicial notice shall be taken thereof.

## PROCUREMENT AUTHORITIES

SEC. 3. (a) In the performance of its functions the Central Intelligence Agency is authorized to exercise the authorities contained in sections 2 (c) (1), (2), (3), (4), (5), (6), (10), (12), (15), (17), and sections 3, 4, 5, 6, and 10 of the Armed Services Procurement Act of 1947 (Public Law 413, 80th Cong. 2d sess.).

(b) In the exercise of the authorities granted in subsection (a) of this section, the term "Agency head" shall mean the Di-

rector, the Deputy Director, or the Executive of the Agency.

(c) The determinations and decisions provided in subsection (a) of this section to be made by the Agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (d) of this section, the Agency head is authorized to delegate his powers provided in this section, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the Agency.

(d) The power of the Agency head to make the determinations or decisions specified in paragraphs (12) and (15) of section 2 (c) and section 5 (a) of the Armed Services Procurement Act of 1947 shall not be delegable. Each determination or decision required by paragraphs (12) and (15) of section 2 (c), by section 4, or by section 5 (a) of the Armed Services Procurement Act of 1947, shall be based upon written findings made by the official making such determinations, which findings shall be final and shall be available within the Agency for a period of at least 6 years following the date of the determination.

## EDUCATION AND TRAINING

SEC. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

(b) The Agency shall, under such regulations as the Director may prescribe, pay the tuition and other expenses of officers and employees of the Agency assigned or detailed in accordance with provisions of subsection (a) of this section. In addition to the pay and allowances to which such officers and employees may be otherwise entitled.

## TRAVEL, ALLOWANCES, AND RELATED EXPENSES

SEC. 5. (a) Under such regulations as the Director may prescribe, the Agency, with respect to its officers and employees assigned to permanent-duty stations outside the continental United States, its Territories, and possessions, shall—

(1) (A) pay the travel expenses of officers and employees of the Agency including expenses incurred while traveling pursuant to orders issued by the Director in accordance with the provisions of section 5 (a) (3) with regard to the granting of home leave;

(B) pay the travel expenses of members of the family of an officer or employee of the Agency when proceeding to or returning from his post of duty; accompanying him on authorized home leave; or otherwise traveling in accordance with authority granted pursuant to the terms of this or any other act;

(C) pay the cost of transporting the furniture and household and personal effects of an officer or employee of the Agency to his successive posts of duty and, on the termination of his services, to his residence at time of appointment or to a point not more distant, or, upon retirement, to the place where he will reside;

(D) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency who is absent under orders from his usual post of duty, or who is assigned to a post to which, because of emergency conditions, he cannot take or at which he is unable to use, his furniture and household and personal effects;

(E) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency on first arrival at a post for a period not in excess of 3 months after such first arrival at such post or until the establishment of residence quarters, whichever shall be earlier.

(F) pay the travel expenses and transportation costs incident to the removal of the members of the family of an officer or employee of the Agency and his furniture and household and personal effects, including automobiles, from a post at which, because of the prevalence of disturbed conditions, there is imminent danger to life and property, and the return of such persons, furniture, and effects to such post upon the cessation of such conditions; or to such other post as may in the meantime have become the post to which such officer or employee has been assigned.

(2) Charge expenses in connection with travel of personnel, their dependents, and transportation of their household goods and personal effects, involving a change of permanent station, to the appropriation for the fiscal year current when any part of either the travel or transportation pertaining to the transfer begins pursuant to previously issued travel and transfer orders, notwithstanding the fact that such travel or transportation may not all be effected during such fiscal year, or the travel and transfer orders may have been issued during the prior fiscal year.

(3) (A) Order to the United States or its Territories and possessions on leave provided for in 5 U. S. C. 30, 30a, 30b, or as such sections may hereafter be amended, every officer and employee of the agency who was a resident of the United States or its Territories and possessions at time of employment, upon completion of 2 years' continuous service abroad, or as soon as possible thereafter: *Provided*, That such officer or employee has accrued to his credit at the time of such order, annual leave sufficient to carry him in a pay status while in the United States for at least a 30-day period.

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

(C) Where an officer or employee on leave returns to the United States or its Territories and possessions, leave of absence granted shall be exclusive of the time actually and necessarily occupied in going to and from the United States or its Territories and possessions, and such time as may be necessarily occupied in awaiting transportation.

(4) Notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Agency, a privately owned automobile in any case where it shall be determined that water, rail, or air transportation of the automobile is necessary or expedient for any part or all of the distance between points of origin and destination, and pay the cost of such transportation.

(5) (A) In the event of illness or injury requiring the hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred while on assignment abroad in a locality where there does not exist a suitable hospital or clinic, pay the travel expenses of such officer or employee by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 10 of the act of March 3, 1933 (47 Stat. 1516; 5 U. S. C. 73b), to the nearest locality where a suitable hospital or clinic exists and on his recovery pay for the travel expenses of his return to his post of duty. If the officer or employee is too ill to travel unattended, the Director may also pay the travel expenses of an attendant.

(B) Establish a first-aid station and provide for the services of a nurse at a post at which, in his opinion, sufficient personnel is employed to warrant such a station: *Provided*, That, in his opinion, it is not feasible to provide transportation to such station.

1949

## CONGRESSIONAL RECORD—HOUSE

1913

(C) In the event of illness or injury requiring hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred in the line of duty while such person is assigned abroad, pay for the cost of the treatment of such illness or injury at a suitable hospital or clinic;

(D) Provide for the periodic physical examination of officers and employees of the Agency and for the cost of administering inoculations or vaccinations to such officers or employees.

(6) Pay the costs of preparing and transporting the remains of an officer or employee of the Agency or a member of his family who may die while in travel status or abroad, to his home or official station, or to such other place as the Director may determine to be the appropriate place of interment, provided that in no case shall the expense payable be greater than the amount which would have been payable had the destination been the home or official station.

(7) Pay the costs of travel of new appointees and their dependents, and the transportation of their household goods and personal effects, from places of actual residence in foreign countries at time of appointment to places of employment and return to their actual residences at the time of appointment or a point not more distant: *Provided*, That such appointees agree in writing to remain with the United States Government for a period of not less than 12 months from the time of appointment.

Violation of such agreement for personal convenience of an employee or because of separation for misconduct will bar such return payment and, if determined by the Director or his designee to be in the best interests of the United States, any money expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States.

(b) In accordance with such regulations as the President may prescribe and notwithstanding the provisions of section 1765 of the Revised Statutes (5 U. S. C. 70), the Director is authorized to grant to any officer or employee of the Agency allowances in accordance with the provisions of section 901 (1) and 901 (2) of the Foreign Service Act of 1946.

## GENERAL AUTHORITIES

SEC. 6. In the performance of its functions, the Central Intelligence Agency is authorized to—

(a) Transfer to and receive from other Government agencies such sums as may be approved by the Bureau of the Budget, for the performance of any of the functions or activities authorized under sections 102 and 303 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred;

(b) Exchange funds without regard to section 3651 Revised Statutes (31 U. S. C. 543);

(c) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are hereby authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(d) Authorize couriers and guards designated by the Director to carry firearms when engaged in transportation of confidential documents and material of national defense and security;

(e) Make alterations, improvements, and repairs on premises rented by the Agency, and pay rent therefor without regard to limitations on expenditures contained in the act of June 30, 1932, as amended: *Provided*, That in each case the Director shall certify that exception from such limitations is necessary to the successful performance of the Agency's functions or to the security of its activities.

SEC. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 735 of the act of August 28, 1935 (49 Stat. 956, 957; 5 U. S. C. 654), and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212 of the act of June 30, 1945, as amended (5 U. S. C. 947 (b)).

SEC. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any one fiscal year.

SEC. 9. The Director is authorized to establish and fix the compensation for not more than three positions in the professional and scientific field, within the Agency, each such position being established to effectuate those scientific-intelligence functions relating to national security, which require the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this section shall not be less than \$10,000 per annum nor more than \$15,000 per annum, and shall be subject to the approval of the Civil Service Commission.

## APPROPRIATIONS

SEC. 10. (a) Notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out its functions, including—

(1) personal services, including personal services without regard to limitations on types of persons to be employed, and rent at the seat of government and elsewhere; health-service program as authorized by law (5 U. S. C. 150); rental of news-reporting services; purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices, including telegraph and teletype equipment; purchase, maintenance, operation, repair, and hire of passenger motor vehicles, and aircraft, and vessels of all kinds; subject to policies established by the Director, transportation of officers and employees of the Agency in Government-owned automotive equipment between their domiciles and places of duty.

are engaged in work which makes such transportation necessary, and transportation in such equipment, to and from school, of children of Agency personnel who have quarters for themselves and their families at isolated stations outside the continental United States where adequate public or private transportation is not available; printing and binding; purchase, maintenance, and cleaning of firearms, including purchase, storage, and maintenance of ammunition; subject to policies established by the Director, expenses of travel in connection with, and expenses incident to attendance at meetings of professional, technical, scientific, and other similar organizations when such attendance would be a benefit in the conduct of the work of the Agency; association and library dues; payment of premiums or costs of surety bonds for officers or employees without regard to the provisions of 61 Stat. 646; 6 U. S. C. 14; payment of claims pursuant to 28 U. S. C.; acquisition of necessary land and the clearing of such land; construction of buildings and facilities without regard to 36 Stat. 699; 40 U. S. C. 250, 287; repair, rental, operation, and maintenance of buildings, utilities, facilities, and appurtenances; and

(2) supplies, equipment, and personnel and contractual services otherwise authorized by law and regulations, when approved by the Director.

(b) The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds; and for objects of a confidential, extraordinary, or emergency nature, such expenditures to be accounted for solely on the certificate of the Director and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

## SEPARABILITY OF PROVISIONS

SEC. 11. If any provision of this act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

## SHORT TITLE

SEC. 12. This act may be cited as the "Central Intelligence Agency Act of 1949."

Mr. VINSON (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the bill as amended be dispensed with and that the same be printed in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, will that deprive any Member from making a point of order against the bill at this time?

The SPEAKER. A motion to suspend the rules suspends all rules. Therefore, a point of order would not lie as to any provision of the bill.

Mr. MARCANTONIO. Including the Ramseyer rule?

The SPEAKER. Including the Ramseyer rule.

The gentleman from Georgia asks unanimous consent that further reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER. Is a second demanded?

Mr. SHORT. Mr. Speaker, I demand

1944

## CONGRESSIONAL RECORD—HOUSE

MARCH 7

Mr. MARCANTONIO. Mr. Speaker, I do not want to embarrass the gentleman from Missouri, but I submit that to demand a second a Member must be opposed to the bill.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. SHORT. I am not; I am very much in favor of it.

Mr. MARCANTONIO. Mr. Speaker, I am opposed to the bill. I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Maryland [Mr. SASSCER] is recognized for 20 minutes; the gentleman from New York [Mr. MARCANTONIO] will be recognized for 20 minutes.

Mr. SASSCER. Mr. Speaker, I yield myself 8 minutes.

The SPEAKER. The gentleman from Maryland is recognized.

Mr. SASSCER. Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947. This section sets out the functions of the Agency. It should be pointed out at once that H. R. 2663, which we are now considering, does not alter or add to these functions in any way. It simply provides for the administrative implementation of the functions which the Congress has already seen fit to give to the Agency.

Secondly, it should be pointed out that CIA functions exclusively under the powers granted it by the National Security Act of 1947 and not under any Executive order whatsoever.

Thirdly, with one or two exceptions to which your attention will be drawn, there is no authority in this proposed bill which at some time or other has not been granted to some other agency of the Government or which some other agencies are not now utilizing through their own implementing legislation. The reason why the hearings have been held in executive session, and why a certain amount of secrecy has been utilized in connection with this bill, is that the discussions with the members of CIA who appeared before the committee went into the operational background of the Agency. Naturally, operational details cannot be talked about in public for they go to the very heart of CIA's activities. Bear in mind, however, that the CIA is prohibited by law from any internal security functions. It deals only in the field of foreign intelligence.

This bill which we are now considering with one difference was introduced into the second session of the Eightieth Congress last year, and was unanimously approved by the Armed Services Committees both in the Senate and the House after detailed hearings.

session, but due to the last minute pressure of business could not be called up in the House. After most careful consideration, the present measure has again been unanimously approved, first by a subcommittee and then by the full Armed Services Committee in the House.

As I have said, its purposes are administrative, and its provisions break down into four main categories. In the first place, the Agency seeks to avail itself of the benefits of the Armed Services Procurement Act of 1947 so that it may utilize the most up-to-date procurement facilities in connection with its activities. Secondly, in connection with the sections dealing with foreign travel and similar allowances, the Agency, in availing itself of many of the provisions of the Foreign Service Act of 1946, is seeking to build up a career service in the intelligence field second to none. A second-best intelligence service is almost as bad as none at all. Within the framework of existing Government laws and salaries, we are seeking to place CIA on a career basis, particularly for those of its employees who may spend a large portion of their career on foreign assignment. Thirdly, we are supplying the Agency, by this bill, with certain general administrative authorities which are needed. Finally, we are supplying the Agency with appropriations language to which their budget and fiscal employees, as well as those of the General Accounting office, may look in the auditing of the Agency's expenses.

In broad terms, therefore, H. R. 2663 seeks to assist this country in the building up and development of a career foreign intelligence service, and to free the Agency from certain restrictions so that it may operate as a mature intelligence service must operate.

Section 1 of this bill merely contains certain very basic definitions of terms used in the act.

Section 2 authorizes a seal of office for the Agency, and provides that judicial notice shall be taken thereof. From time to time it has been necessary for CIA to produce records in court. For example, the records of the monitoring of foreign propaganda broadcasts in their possession have included recordings of the speeches made from Germany by Douglas Chandler and Robert Best. These recordings were the basis of the recent convictions of these two men for their treasonable activities during the late war. In order that authenticated copies of such material can be submitted when called for in court, a seal is necessary of which the court can take judicial notice.

Section 3 of the bill authorizes the Agency to utilize certain of the authorities granted the armed services in the Armed Services Procurement Act of 1947. The main features of this law which are being extended to the CIA are in the field of negotiation for contracts without advertising. The general ceiling for which contracts can be negotiated without advertising today is \$100. The Armed Services Procurement Act raises this ceiling to \$1,000, and it is being extended to include CIA contracts up to this amount. In addition, the act authorizes negotiation of contracts without

not admit of delay, where it is impracticable to secure competition, and for supplies or services the nature of which should not be publicly disclosed. It stands to reason that certain of the technical equipment which this Agency must utilize may be made only by one firm for reasons of security, and certainly some of this equipment should not be openly advertised for. Therefore, it seems only proper that these authorities which the Congress has already extended to the armed services should be further extended to CIA. The remainder of this section sets forth the applicable provisions of the Procurement Act regarding rules for advertising, the type of contracts that can be made, damages, joint procurement, delegations of authorities and limitations thereon.

Section 4 of the bill authorizes the Agency to assign its personnel to schools for special instruction and training, and to pay the cost of such tuition and expenses. This will permit the Agency to send selected employees to such schools as the National War College, advance courses in international relations and related fields, refresher courses in language fields, and special training courses.

Section 5 of the bill presents one of its most important features from a career standpoint. Virtually all of the provisions of this section have been taken directly from similar provisions in the Foreign Service Act of 1946. It provides for the payment of travel expenses for the employees of the Agency and for the members of their families when proceeding to posts of duty abroad, and from post to post abroad. It provides for their being returned to the United States with their families on statutory home leave after 2 years of continuous service abroad.

It must be reemphasized that these provisions are not new departures created for CIA, but are merely extending to the Agency the best features of other career services in the Government. This section also provides for the hospitalization and medical care of the Agency's full-time employees abroad, and includes provisions for the periodical physical examination of all of the employees on foreign posts.

Certain general administrative provisions are granted to the Agency, most of which are similar to authorities granted to other agencies of the Government at one time or another, or which deal with the security of the Agency's operations. For instance, there are provisions permitting the arming of couriers and guards carrying confidential documents. Specific authority is needed to override State statutes which prohibit the carrying of firearms without special licenses. Such a statute is in existence for the FBI, and the armed services have always been allowed to arm their couriers.

Section 8 of the proposed bill contains a provision which will permit the entry of 100 aliens into the United States for permanent residence. This will be explained more fully by my distinguished colleague, the gentleman from North Carolina [Mr. DURHAM]. However, I would like to emphasize the fact that

1949

## CONGRESSIONAL RECORD—HOUSE

1949

essence, and should these people be required to go through the many procedures of obtaining visas, having photographs taken, and filing applications—they would be dead before taking their second step. In certain areas of the world such persons can only contact an American once. This section permits quick action to save the lives of persons of high intelligence value to the United States.

Finally we have provided in this bill some basic appropriations language to which the Government Accounting Office and the budget and fiscal offices of the Agency can look in the expenditure of funds. Much of this language is necessary, for without it the expenditure of funds for the purposes set forth herein cannot be allowed. In addition, we have provided the legal basis for the granting to the Agency authority for the spending of those unvouchered funds which the Appropriations Committee of the House will earmark, and without which there can be no successful operation of an intelligence service.

For the reasons I have set forth, I urge the passage of this bill. Above all, it will allow this country to continue and increase the successful operation of its foreign intelligence, upon which some day the security of this country and our very lives may well depend.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Michigan.

Mr. DONDERO. Will it affect the personnel of our American military government in Germany?

Mr. SASSCER. It is my understanding that it will not.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Speaker, I yield myself one additional minute.

Basically it is outlining the administrative procedure. There is a section in the bill relating to bringing in aliens, which my able colleague the gentleman from North Carolina [Mr. DURHAM] will discuss. However, I would like to again emphasize that this section involves a time factor. It in no way encompasses the functions or prerogatives of the immigration authorities or congressional committees. This is a security measure. These men can only contact an American once. Time is the element. If they cannot make a quick exit their heads may be off and valuable information lost.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from New York.

Mr. CELLER. Does the gentleman mean to imply that immigration restrictions built up over the years are not suspended by this bill?

Mr. SASSCER. They are suspended for 100 aliens on the basis of their potential news value for security purposes and not for the purpose of general immigration laws.

The SPEAKER. The time of the gentleman from Maryland has again expired.

Mr. DURHAM. Mr. Speaker, I yield 2 minutes to the gentleman from New York.

Mr. CELLER. Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the lurid reasons? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on the Armed Services. The Committee on the Armed Services has nothing to do with immigration. Now this provision I have read throws out the window, at the discretion of the Director mentioned in this bill and the Attorney General, all the legislative immigration restrictions that we have built up over the years. It throws them to the winds, and if the Attorney General and the Director wish to admit Fascists, Communists, Hitler sadists, morons, moral perverts, syphilitics, or lepers, they can do it. I think the House ought to know what it is legislating about, and I think, in a measure, this indicates how the cold war is unhinging the nerves of some of our high military authorities. The secrecy, especially the brand we are treated to, is ridiculous. Secondly these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whither we are going. The military is not infallible. Witness the situation of the charges levied by the military intelligence against one Agnes Smedley recently, that she was a Communist, or a Russian spy, and instead of retracting when they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision which should be stricken from the bill or, if it is not stricken, certain safeguards should have been added.

I have spoken briefly to advise the Armed Forces Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DURHAM. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in the past few days, much has been said about a provision in the proposed act which will permit the entry of 100 aliens annually into the United States without regard to immigration laws. I would like to explain

Section 8 of this bill provides that whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, that alien and his family shall be given entry without regard to their admissibility under the immigration laws and regulations. The number of persons who can come into the country under this provision is limited to 100 persons in any one year. Let me emphasize that what is being waived are the laws regarding the admissibility of an alien into this country, but no laws are being waived regarding his conduct once he is here. The alien must live up to every law of the United States just as every other alien must do, and failure to do so will lead to his deportation for cause. What is the purpose of this section? Briefly, it is this. There are many people all over the world who believe in this country and what it stands for implicitly. Many of them are living in police states. Some of them may have formerly been highly placed in the service of their government. Some of them may even be there now. Many of them have important intelligence information to make available to this country, and such information may be of vital importance to our national security and our policies. These people, be they soldiers or statesmen or scientists, can only approach a representative of America once. If they are seen talking with an American, it may mean the concentration camps, or in some instances death itself. There is no time here to get visas and fill out the forms which the immigration laws require. The element of time is often 24 hours or less. When CIA plans such an operation, security requires that the people knowing it be held to an absolute minimum. The people who will be selected will be most carefully screened by CIA, and only the select few will be chosen. The concurrence in the Director's selection lies with the Attorney General, whose Immigration and Naturalization Bureau must administer the immigration laws once these people have arrived. The Committee feels that this power should be granted to the Director of Central Intelligence, and that the operation of our intelligence agency requires its existence. Its force and effect is testified to by the screams of anguish which have already emanated from Communist sources abroad. The Rumanian radio protested immediately after the Armed Services Committee approved this section. This is what it said:

Dollars fatherland, fatherland of gangsters and of international swindlers, is now officially decreed fatherland of spies from any corner of the world.

A statement by the American Slav Congress, which is on the Attorney General's list as a Communist organization, was forwarded to this committee, and almost upon its very receipt the Moscow radio started to broadcast its text. The Moscow radio says that this provision will make every freedom-loving American



1946

## CONGRESSIONAL RECORD—HOUSE

MARCH 7

disgusted with the cynicism of the United States Congress and its policy of reviving fascism and preparing a new world war. It is interesting to note that the Moscow radio picks up and endorses this protest almost as soon as the committee itself has received the telegram. The people who will enter this country under this provision are not spies. They are defectors from the totalitarian state. They are people whose love of democracy is so great that at the risk of their lives they come to representatives of the United States to give them information which will help the west and the United States survive.

I believe the well-known radio commentator, Edward R. Murrow, very neatly summed up the purpose of this section in his broadcast of March 4, in which he stated, and I quote:

This is essentially an underground railroad for first-class passengers only, up to 100 a year. It will be confined to people of the highest caliber, morally and mentally, who have to get out of their own countries on short notice or face arrest, torture, or execution, people whose background, information, and services are so valuable to us that it would not be safe to keep them for any prolonged length of time even in countries of western Europe.

Mr. Speaker, the dearest thing we can give these aliens is admission to this country, and that is what your committee proposes.

As an essential weapon for the successful operation of this country's foreign Intelligence Service, and after the most serious and searching consideration, your committee has endorsed this section and urges its adoption, as well as all other provisions of the bill.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I call the attention of the Members of the House who are present to the language on page 6 of the report. I think it can be said without any fear of contradiction that this is the first time in the history of the United States that this language is found in any report accompanying a bill coming before the Congress. It reads as follows:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature. However, the Committee on Armed Forces received a complete explanation of all features of the proposed measure. The committee is satisfied that all sections of the proposed legislation are fully justified.

Let us look at this a moment. We are being asked to vote for legislation without having full explanation of all of the provisions of the bill.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. DURHAM. The gentleman knows of course that this is an espionage bill.

Mr. MARCANTONIO. I do not see what difference that makes. We have gone through two world wars. We have gone through a civil war and the Congress has never been asked to vote for any legislation without explanation of all of the provisions of the bill and that is what this report

of this House to do. Can anyone deny that that is what we are being requested to do under this motion to suspend the rules?

What are we doing here? First of all, as to the secrecy with which the committee has been operating, it admits that its members have the information which they are withholding from the House. As the distinguished gentleman from Massachusetts, the former Speaker of the House (Mr. MARRIN), said, if he is correctly reported in this morning's press: "There is no such thing as a secret in Washington, when any three persons know it." Yet, we are told that the information the committee has must be kept a secret from the Members of the House. What is worse, the committee informs us through its report that the Members of the House must pass this bill without any explanation of all of its provisions. This makes every single section of this bill suspect. No Member of Congress has been informed. No Member of Congress has been given the full explanation of all of the provisions of the legislation to which the representatives of the people are entitled before voting on any legislation. Only the members of the Committee on Armed Services, we are told, have been given the explanation. That is the situation you have before you. If under the wave of hysteria you want to abdicate your legislative functions to just one committee of the House, that is your privilege, but as for me I refuse to do it. I no not care what reason is given. There has never been and there can never be any justification at any time for the representatives of the people, who are elected to Congress, to abdicate their function of legislating with full knowledge on the matters which come before them. This bill suspends that function and says, "You must not have knowledge of all of the provisions of the bill." It says, "You must vote blindly and must take the word of a committee." No one challenges the good faith of the committee members, but the fact is that with 435 Members from 435 different districts, we are all entitled to have our own viewpoint on legislation based on at least a full explanation of all of the sections of a bill. For that reason all times in the history of the Congress of the United States the membership has been given full explanation in a report which is intended to explain the bill. Never has Congress been told in a report accompanying a bill, as this one does, that Congress cannot have a full explanation of all provisions in the bill. This is the first time that Members of the House are told, "You cannot have any full explanation of this legislation. It is highly confidential. It deals with espionage."

As a result of the hysteria under which this bill is being passed I suppose a majority of the House will vote for this bill, even though in doing so you are suspending your legislative prerogatives and evading your duty to the people of this Nation.

Now, without having been given explanation of all of the provisions, I have been trying to find out something about

the report. Here are a few things that the Members of the House ought to know. I deal with section 4, on page 3:

SEC. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

What does this mean? With all of the vast powers that are given this agency under the guise of research and study, you are subjecting labor unions and business firms to the will of the military. You are opening the door for the plucking of these intelligence agents, supposed to deal with security pertaining to foreign as well as internal affairs in the midst of labor organizations.

The SPEAKER pro tempore. The time of the gentleman from New York (Mr. MARCANTONIO) has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself five additional minutes.

You are opening the doors for the entrance of intelligence agents into labor organizations; yes, to spy on labor and carry out antilabor activities. I am sure if it were not for the cold war hysteria, very few Members of the Congress would vote for that provision. Certainly the majority would not vote to suspend the rules so that you must take this bill as it is without any opportunity for amendment, despite its serious implications against the security of the liberties of the American people.

The gentleman from New York has discussed the immigration provision of the bill. I simply want to add to his comments that this section will work out only in one way: That there will be admitted into this country former Fascists and Nazis, antilabor people, promonarchists, people that a democracy such as ours would want to keep out. It is only natural that the followers of the Hapsburgs, Francos, and other Fascist scum will be the beneficiaries of this feature of the bill, which suspends the immigration laws and allows for permanent admission of 100 of them per year.

Then, from the standpoint of Government operations, on page 13 of the bill, we find this:

The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds.

I wish some of you gentlemen who have been cutting down appropriations for unemployment services and social welfare legislation would listen to this:

The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditures of Government funds.

So what are we doing here? From what we know—and, mind you, we have not been told everything—but from what we know, we are suspending civil liberties in the interest of a military intelligence agency. That is definite. You cannot get away from that. We are also making it possible to have admitted

1949

## CONGRESSIONAL RECORD—HOUSE

1947

counterespionage or counterintelligence, people that a democracy would spew out under all circumstances. We are suspending all laws with regard to Government expenditures, and we are asking the Members of Congress to suspend their prerogatives and cease to do their duty on legislation with full explanation of the legislation. Of course, there are times when bills get by. We cannot all be up to date on everything. We might not know what is in a bill. That happens. But this time we are told that we are not supposed to know what is in the bill. I want to read that again, and I hope it will sink in:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

Congress is suspending its right to legislate and we are being asked to do this in furtherance of a cold war. This is illustrative of what this imperialist cold war is imposing on the people of a country: Suspending its civil liberties, invasion of the labor movement by intelligence agents, admission of undesirables—undesirable in any democracy—and asking Members of Congress to suspend their prerogative to pass on legislation.

But you say this is dealing with espionage, that this is done for the sake of security. I refuse to believe that our Nation is so unsafe from a security standpoint that we have to suspend not only the civil liberties of the people but the legislative prerogatives of the Representatives of the people in the Congress. If you want to do this in the hope that a newspaper will not criticize you for voting against it because of the hysteria which is being whipped up, that is your privilege; but I submit that the situation is obvious: Hysteria is used to undermine the civil liberties of the people and extend the military control—military control—I emphasize that, over the lives and thinking of the people of these United States.

Mr. Speaker, I reserve the balance of my time.

Mr. VINSON. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Missouri [Mr. SHORT].

The SPEAKER. The gentleman from Missouri is recognized for 4 minutes.

Mr. SHORT. Mr. Speaker, there is some plausibility in the argument advanced by the gentleman from New York. I suppose that none of us in the Chamber at this moment likes this particular kind of legislation, but I think we all will agree that the weakest link in our chain of national defense in days gone by has been in a weak intelligence system. The Germans, the Russians, the British, have had far better systems of intelligence than have we, and in spite of all our wealth and power and might we have been exceptionally weak in psychological warfare notwithstanding the fact that an idea is perhaps the most powerful weapon on this earth.

The pending bill, H. R. 2633, is substantially the same as H. R. 5871 which was introduced in the Eightieth Congress, unanimously reported by the Senate Committee on the Armed Services, and

passed the Senate. A companion bill was unanimously reported by the House Committee on the Armed Services, but due to lack of time it failed of passage in the Eightieth Congress.

The purpose of this bill is simply to give the Central Intelligence Agency authority that is necessary for its proper administration. It is true that we will bring in not to exceed 100 persons a year, but before they are admitted they will be carefully screened by both the Director of Central Intelligence and the Attorney General of the United States. They act jointly, and it is absolutely essential that some of the information given to members of our committee as was given to members of the Rules Committee, must be kept confidential, because it is of a secret nature. The FBI does not advertise the movements it makes in the apprehension of a criminal. Our intelligence officers to be effective and in their own defense as well as the country's must keep many of their movements secret. I think it would be supreme folly for us to discuss every phase and ramification of a bill that is of such a highly confidential nature.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from North Carolina.

Mr. DURHAM. Did the committee satisfy itself as to the expenditure of this fund?

Mr. SHORT. It did, and there is a definite limitation upon this. We limited not only the number of persons to be admitted but also the amount of money to be expended; however, we are not telling how, when, where, or to whom the money will go. We cannot, because of the very nature of the problem.

I am glad the gentleman from New York quoted from page 6 of the committee report because the language itself is self-explanatory. You are going to have to trust somebody, Mr. Speaker, and while perhaps it is asking too much for you to trust the members of the Committee on the Armed Services I think you can trust the Committee on Rules or any other committee of this House. Both committees mentioned reported this bill unanimously.

We are engaged in a highly dangerous business. It is something I naturally abhor but sometimes you are compelled to fight fire with fire. There is no other way out of it so far as I can see and perhaps the less we say in public about this bill the better off all of us will be.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the gentleman from Missouri has stated correctly that information is withheld sometimes by a committee when it receives information which is confidential. However, what is before us is not an instance of merely withholding information. I read from the report:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation.

It is obvious, and even a 6-year-old child can see the distinction. What we

have here is not a matter of withholding information; it is a matter of asking the Congress to legislate even though an explanation of the legislation is refused by the committee. The complaint I make is that the committee refuses to give any explanation of some of the provisions of the bill.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Missouri.

Mr. SHORT. I want to call the attention of the Members of the House to a sentence from Rear Adm. Goldenketter's request which he made in a letter addressed to the Speaker of the House, found on pages 6 and 7 of the report.

In next to the last paragraph he states:

In almost all instances, the powers and authorities contained in the bill already exist for some other branch of the Government, and the bill merely extends similar authorities to the Central Intelligence Agency.

That is absolutely true. These authorities exist for other Government agencies and all this bill does is to extend to the Central Intelligence Agency the powers already enjoyed by other agencies.

Mr. MARCANTONIO. The gentleman from Missouri has answered himself. The rear admiral says "in almost all instances," and again I say the committee refuses to explain the instances that are not covered by the rear admiral's statement, "In almost all instances." It is the exceptions that concern me.

Mr. SHORT. In the original statement of the gentleman from New York he said that never before had the Congress considered such legislation. We all know that the President was given blanket authority so far as the atomic bomb was concerned, and we spent \$2,600,000,000 of the taxpayers' money before anybody knew what it was.

Mr. MARCANTONIO. The gentleman will remember that in connection with the atomic bill that we had here there was a report on the legislation. Nowhere in the report was it stated that the report did not contain a full and detailed explanation of all the provisions of the proposed legislation. The legislation was explained section by section in the report accompanying the bill. This is the first time in the history of Congress that Members are being asked to vote on legislation about which not merely information is withheld but also explanation as to the provisions of the legislation.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from California.

Mr. HOLIFIELD. I would like to question the gentleman from Missouri. On page 4 of the report, subsection 5 (b), it is provided that an employee while in this country on leave may be assigned to temporary duty in the United States for special purposes or reorientation prior to returning to foreign service.

In the original unification bill passed through the Committee on Expenditures, of which I am a member, we had the setting up of this CIA. It was coming



1949

## CONGRESSIONAL RECORD—HOUSE

1949

where appropriate existing agencies and facilities: *Provided*, That the agency shall have no police, subpoena, law enforcement powers, or internal security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosures;

## Fourth:

To perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

## Fifth:

To perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Now, what authority is granted in the proposed legislation? Well, the bill creates a seal of office for the Central Intelligence Agency. It extends to it certain provisions of the Armed Services Procurement Act of 1947. It permits the Director to provide for special instruction and training of agency personnel. It provides for travel allowances and expenses for agency personnel. It permits agency personnel to return to the United States on leave after 2 years of foreign service. It provides for the payment of transporting and storing household belongings. It provides for the health of employees overseas by permitting the payment of travel expenses to the nearest adequate medical facilities when local medical facilities are inadequate. It provides for the establishment of first aid stations at posts overseas. It provides for physical examinations for all employees. It provides for transporting the remains of an employee or a member of his family who may die while overseas, and it provides that the agency may recruit foreign nationals abroad where citizens of the United States are not available for such employment. And it provides allowances for agency employees similar to those given to State Department Foreign Service employees. It also contains other provisions of greater significance, such as the authority to transfer and receive from other Government agencies such sums as may be approved by the Bureau of the Budget for the performance of any of the agency functions. This is how the Central Intelligence Agency gets its money. It has been going on since the agency was created, and this simply legalizes that important function which is the only means by which the amount of money required to operate an efficient intelligence service can be concealed. Likewise, the bill removes certain limitations which exist under provisions of law which limit the amount of rental that the agency may pay for its quarters overseas and the amount of improvements that it may make in such leased facilities. This makes sense in view of the fact that an efficient intelligence agency must be able to rent adequate facilities regardless of the value of the property and must be permitted to make such improvements in the property as may be necessary for the proper functioning of the agency.

the installation of necessary equipment. The bill also eliminates the agency from the requirements of law which result in the publication of personnel data in the Official Register of the United States, and exempts the Bureau of the Budget from the necessity of including in its public report to the Congress the agency's personnel strength. This information has not heretofore been made public and must, of course, continue not to be made public, and this merely legalizes such action.

The most widely publicized feature of the bill is that with respect to the provision which provides for the admission of 100 aliens for permanent residence in the United States. This will only be done when the Director and the Attorney General concur in the admission of such aliens and will permit the agency to offer to certain defectors and others the greatest reward possible in this world today, residency in the United States. These people will be carefully screened and their admission will only be in the best interests of the United States, and, furthermore, if at a later date they should prove undesirable they can be deported.

Another section of the bill provides that the agency may spend sums made available to it without regard to provisions of existing law. It also permits the expenditure of funds for confidential purposes to be solely accounted for by certification of the Director. This is not unusual. The State Department has such authority, as does the Atomic Energy Commission, and, for that matter, so in effect do all branches of the armed services.

Therefore the only significant feature of this bill which will be completely new in all respects will be that pertaining to the admission of 100 aliens in the United States.

There has been a great deal of discussion as to why the committee meetings were conducted in executive session without a stenographic record being kept. It is obvious that there is certain information which must be confined to as few people as possible. For example, it would not be wise to disclose to the world the amount of money necessary to operate the Central Intelligence Agency annually. Nor would it be wise to announce to the world the number of personnel employed by the agency. Nor would it be wise to announce just where our CIA is operating, or how they are operating, or what information they are seeking to obtain, or what information they have obtained. But in order for a congressional committee to properly analyze a bill granting authority to an agency to perform certain functions, it seemed wise to obtain this information but not to make it public.

This bill will enable the agency to have legal authority for practically all the things it is now doing. You will note that the National Security Act specifically excludes the agency from internal security functions. There is no problem of invasion of the rights of American citizens involved in this legislation. If this Nation wants a modern, efficient, effective, capable, valuable intelligence gathering agency, then we must give it certain authorities. If we do not want such

the world without one. It would seem a little ridiculous to spend one-third of our annual budget for our national defense and not grant reasonable monetary, statutory and administrative support to the agency charged with gathering the intelligence information which has so much to do with the size of the appropriations we grant for the strength of our armed services.

I might add that this bill was reported unanimously by the subcommittee and unanimously by the full committee. That there were no dissenting votes is significant. The records indicating the Members who attended the meetings are available for public inspection.

## HOUSE RESOLUTION 130

The SPEAKER. Without objection, House Resolution 130 will be laid on the table.

There was no objection.

## THE COMMUNIST PARTY

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BRYSON. Mr. Speaker, in view of the daily recurrence of events we cannot longer sit supinely by and allow members of the ungodly Communist Party to destroy us. Repeatedly, I have spoken out against the apparent determination on the part of Stalin's agents in this country to thwart all efforts toward establishing permanent peace.

Words and efforts of conciliation have proven to be of no avail. We must strike and strike now before it is too late. Today, I have introduced a bill in the House, which if enacted, would outlaw the Communist Party and order deportation of all foreign Communists within our borders. I submit this vital measure to each of you for its immediate favorable consideration.

Attached hereto I include a very timely editorial from my home-town newspaper, the Greenville Piedmont:

## COMMUNISTS DROP MASK OF PATRIOTISM

In less than 2 weeks Communists in three democratic countries have made the convenient flexibility of the Red line of reasoning and the calculated treachery of the party oath brutally clear. The truth is not in them and honor has no meaning for them.

The two top American Communists, National President William Z. Foster and General Secretary Eugene Dennis, said this week that in the event of war between the United States and Russia the American Communist Party would try to defeat the predatory war aims of American imperialism.

They said they did not think war was inevitable, that they believed the American and Russian systems could exist separately and peaceably. But, they added, if Wall Street should plunge the United States into war, the Communists would oppose it as unjust and aggressive and destructive of the deepest interests of the American people.

There, you have it. Should Russia attack us, Wall Street aggression would be blamed.

French Communist Maurice Thorez said last week that Soviet Russia was by definition incapable of aggression. Therefore, if another nation becomes involved in a war with



4240

## CONGRESSIONAL RECORD—SENATE

APRIL 11

obstructing interstate and foreign commerce, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. TAFT. Mr. President, I object.

The VICE PRESIDENT. On objection, the bill will be passed over.

#### TRANSFER OF POMONA STATION OF AGRICULTURE REMOUNT SERVICE

The bill (S. 989) to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif., was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, am I correct in my understanding that we are now on Calendar 84, Senate bill 969?

The VICE PRESIDENT. That is correct.

Mr. WHERRY. If I may inquire, can the Senator from Oregon tell us whether consideration of this bill also is objected to on the same basis as the objection to the bill relative to Crawford, Nebr.?

Mr. MORSE. No. Mr. President, I have gone into this bill, and it is a good example of the distinction in principle to which I have heretofore alluded. In this case all the bill proposes to do is to return to the Kellogg Foundation the property which they sought to turn over and did turn over to the Federal Government for a particular use. The Federal Government no longer desiring the property for that purpose, I think it is perfectly proper to return the property to the Kellogg Foundation. It is not a case of giving away property that belongs to all the people of the United States, but rather returning property turned over to the Government for a particular use which the Government no longer wants to make use of. I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment on page 1, line 7, after the word "California", to strike out ", which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg", and insert "which tract, originally in the ownership of W. K. Kellogg, was conveyed to the United States acting through the War Department (now Department of the Army)", so as to make the bill read:

*Be it enacted, etc.* That the Secretary of Agriculture is authorized and directed to transfer and convey to the W. K. Kellogg Foundation, Inc., without cost, the real property, comprising 812 acres, more or less, of the Agriculture Remount Station at Pomona, Calif., which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg and subsequently transferred to the Department of Agriculture pursuant to the act of April 21, 1948 (62 Stat. 197), and such of the personal property of this station as may be agreed upon, in writing, by the Secretary of Agriculture and the W. K. Kellogg Foundation, Inc.

The amendment was agreed to.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY—BILL PASSED OVER

The bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

Mr. TYDINGS. Mr. President, I should like to make a brief explanation of the bill. This is a very important bill to those who are identified with the Central Intelligence Agency. In modern times it is necessary to assemble all the information that can be obtained concerning our own national security and its relationship to the national security of other countries. All governments—we might as well be frank about it—utilize every reasonable agency they can to assemble desirable information concerning the activities of other governments. Sometimes in some countries men who are engaged in trying to find out what is going on lose their lives. They are caught, held as spies, and liquidated. They are never heard of again. The bill does not provide for any new activity. What it does particularly is to seek to safeguard information procured by agents of the Government so that it will not fall into the hands of enemy countries or potential enemy countries who would use the information to discover who the agents were, and kill them.

To my certain knowledge, in a certain area, not many years ago three good Americans who were trying to serve their Government by finding out whether the intentions of another government were strictly honorable were liquidated. The men were detected and killed. What the bill does is to seek to keep their names and identities out of the normal accounting channels, so that they cannot be picked up through the promiscuous dissemination of information. That is the principal point in the bill.

I shall not ask for its immediate consideration. I know there are some Senators, one of whom is my good friend and colleague, the Senator from North Dakota, who wants more time to look into it. But I wanted to make this brief explanation, so that Senators would have in mind what is in the bill as they consider it and read it in the future. I shall be very glad to yield, within the time limit that is left to me, to answer, if I can, any question any Senator may desire to raise.

The VICE PRESIDENT. The bill will be passed over, then.

#### DISCLOSURES RELATING TO UNITED STATES CODES, ETC.—BILL PASSED OVER

The bill (S. 277) to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communications intelligence activities of the United States was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. FERGUSON. Mr. President, reserving the right to object, I pass the bill.

Michigan that the words "lawful demands," do not mean that a subpoena by Congress will be necessary in order to obtain information for congressional committees, either of the Senate or House, or joint committees. Will the Senator from Texas make a statement to that effect for the record?

Mr. JOHNSON of Texas. The Senator from Michigan has correctly stated the meaning.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Colorado. I ask that the bill go over.

The VICE PRESIDENT. Does the Senator object?

Mr. JOHNSON of Colorado. I object.

The VICE PRESIDENT. The bill will be passed over.

#### BILL PASSED OVER

The bill (H. R. 1211) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, was announced as next in order.

Mr. WHERRY. Mr. President, by request, I ask that the bill go over. I should also like to have the same statement made following the objection raised by me to Calendar 71, Senate bill 1079.

The VICE PRESIDENT. On objection, the bill will be passed over.

#### BILL PASSED OVER

The bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. LODGE. By request, I object.

Mr. THOMAS of Oklahoma. Mr. President, I should like to inquire whether the Senator from Massachusetts will withhold the objection for a moment?

Mr. LODGE. I may say to the Senator from Oklahoma I am making objection at the request of a colleague who cannot be present today. I, myself, have no interest in the matter.

Mr. THOMAS of Oklahoma. Mr. President, essentially the bill contains but two provisions. One is a reference to the board personnel. The second is a reference to broadening the powers of the Commodity Credit Corporation. I understand there are objections to the personnel of the board as proposed in the bill. It is not necessary, in my opinion, to consider the second objective, which is to give the Commodity Credit Corporation power to acquire property by gift, lease, or otherwise for the construction of storage facilities. In order to secure action on the bill if the objection runs to the first feature, the personnel of the board, I should be willing, as author of the bill in part, to waive that feature in order to have the second part enacted into law.

Mr. LODGE. I may say to the Senator I, myself, have no knowledge of the bill. My colleague's presence is necessary.

re was being contemplated; or we might ask the Chief of the Biological Warfare Service to sit with the Joint Chiefs of Staff when biological warfare was being contemplated. The Marine Corps will be represented on the Joint Chiefs of Staff, because the Navy will be represented there, and the Marine Corps is a part of the Navy.

Certainly we could not very well pick it various functions or services in the Army and have them specially represented on the Joint Chiefs of Staff when particular activities involving them were under consideration or were about to be engaged in.

No military support has been presented for the amendment.

With all due respect to the Marine Corps, I think it would be unfortunate to make an exception in its case, because to do so would be to give the Navy two votes on the Joint Chiefs of Staff, although the Army and the Air Corps could still have only one each.

If the amendment were adopted, of course the next step proposed would be to increase the representation of the Army and the Air Corps on the Joint Chiefs of Staff, so as to give all three equal representation there.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Vermont (Mr. Flanders), on behalf of himself, the Senator from Wisconsin (Mr. McCarthy), and the Senator from Illinois (Mr. Douglas).

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the enrolling and third reading of the bill. The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill S. 1843 was passed.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

Mr. LUCAS. Mr. President, I ask unanimous consent that the unfinished business, House bill 1211, to extend the authority of the President under section 10 of the Tariff Act of 1930, as amended, and for other purposes, be temporarily laid aside, and that the Senate proceed to the consideration of House bill 2663, Calendar No. 90, an act to provide for the administration of the Central Intelligence Agency.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. WHEAT. I have no objection. There being no objection, the Senate proceeded to consider the bill.

#### ACQUISITION OF SITES FOR FEDERAL BUILDINGS

The PRESIDING OFFICER (Mr. SCHOEPPLE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 714) to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes, which was to strike out all after the enacting clause and insert:

That this act may be cited as the "Public Buildings Act of 1949."

#### TITLE I—COMPREHENSIVE PLANNING OF FEDERAL PUBLIC BUILDINGS OUTSIDE OF THE DISTRICT OF COLUMBIA

SEC. 101. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, lands or interests in lands as sites or additions to sites for Federal public building projects previously authorized and for such new projects as may be selected in the manner designated in this section, to make investigations and studies and to prepare plans, sketches, working drawings, and specifications for such projects. Whenever the Federal Works Administrator shall determine such action to be necessary, such investigations, studies, preparation of plans, sketches, working drawings, and specifications, may be undertaken prior to the approval of title to the sites by the Attorney General. When buildings to be used in whole or in part for post-office purposes are involved, the Federal Works Administrator, shall act jointly with the Postmaster General in the selection of towns or cities in which buildings are to be constructed, and in the choice of sites therein for such projects. The Federal Works Administrator and the Postmaster General shall submit to the Congress a comprehensive report of all eligible projects and their limits of cost when in excess of \$200,000, without regard to the time in which they may be undertaken, which report shall be printed as a public document. When the estimated cost of a project does not exceed \$200,000 the limit of cost shall be determined by the Commissioner of Public Buildings. Selection of projects for the purposes of this title shall be made by the Federal Works Administrator and the Postmaster General from such report and they may also select such other projects not included in such report which in their judgment are economically sound and advantageous to the public service: Provided, That in making such selections they shall distribute the selected projects equitably throughout the country with due regard to the comparative urgency of projects in various sections of the country.

SEC. 102. It is the intent of the Congress that the equitable distribution of selected projects required by section 101 of this title shall provide for the participation by each congressional district in the benefits that will accrue from the future construction of one or more of such selected projects. It is the further intent of the Congress that those congressional districts in which are located projects previously authorized and selected for construction (including those for which sites have been acquired), but which have been deferred, shall be entitled to such project or projects, or the equivalent thereof, in

addition to the projects authorized and selected under this title.

SEC. 103. For carrying out the purposes of this title, including administrative, supervisory, traveling, and other expenses in connection therewith, there is hereby authorized to be appropriated the sum of \$4,000,000 to remain available until expended.

#### TITLE II—ACQUISITION OF SITES AND TRANSFER OF JURISDICTION OVER SITES BY VARIOUS AGENCIES AND DEPARTMENTS OF THE GOVERNMENT

SEC. 201. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, land situate in the northwest section of the District of Columbia designated as squares 11, 19, 20, and 32, said land to be used wholly or in part together with other Government-owned land adjacent or in close proximity thereto as the site or sites for a departmental building or buildings project authorized to be constructed thereon.

SEC. 202. In order to provide a more suitable site for the new San Diego, Point Loma, Calif., Quarantine Station, the Secretary of the Navy is hereby authorized and directed to transfer to the control and jurisdiction of the Federal Works Agency, without reimbursement, a parcel of land in the city of San Diego, county of San Diego, State of California, described as follows:

Commencing at an old stone monument marked "U. S. M. R.", on the northerly boundary line of the naval fuel annex, said point being the true point of beginning, thence from said true point of beginning north eighty-nine degrees thirty-one minutes thirty-five seconds east one hundred and eleven and six one-hundredths feet, more or less, to a point on the mean high-tide line of San Diego Bay; thence south five degrees twenty-two minutes fifty seconds west along the mean high-tide line three hundred and ten and eleven one-hundredths feet; thence south one degree fifteen minutes forty-five seconds west along the mean high-tide line one hundred and three and fifty one-hundredths feet; thence leaving said mean high-tide line south eighty-nine degrees thirty-one minutes thirty-five seconds west five hundred and eighty-seven and nine one-hundredths feet; thence north one degree thirty-eight minutes twenty-five seconds west two hundred and one and forty-three one-hundredths feet; thence north twelve degrees twenty-four minutes forty-five seconds east two hundred and sixteen and nine one-hundredths feet to a point on the northerly boundary line of the naval fuel annex; thence along said northerly line of the naval fuel annex north eighty-nine degrees thirty-one minutes thirty-five seconds east four hundred and sixty-six and seventy-four one-hundredths feet to the true point of beginning, containing five and six-tenths acres, more or less;

And the Federal Works Administrator is hereby authorized and directed to transfer to the control and jurisdiction of the Department of the Navy, without reimbursement, all the land comprising the present quarantine station site lying and being in the city of San Diego, county of San Diego, State of California, bounded on the south by First Street, on the west by San Antonio Avenue, on the north by Colorado Street, and on the east by San Diego Bay.

SEC. 203. The Federal Works Administrator is hereby authorized and directed to transfer to the jurisdiction and control of the Department of the Army, without reimbursement, for use for military purposes, all the land comprising the present quarantine station situated on Quarantine and Sand Islands, Honolulu, Oahu, Territory of Hawaii, described as follows:

Beginning at the southwest corner of tract C transferred to the Commerce Department by the War Department by Executive Order

1949

## CONGRESSIONAL RECORD—SENATE

6347

tion's most precious heritage—our continuing faith in our dependence upon Almighty God and His guidance in the affairs of men and nations."

#### COMMENDATION OF PHILIP MURRAY AND THE CIO FOR OUSTING COMMUNISTS

Mr. MARTIN. Mr. President, I rise to express commendation and my personnel appreciation of the sound action taken by Philip Murray and the executive committee of the CIO in recent days. I refer to the forthright drive to rid that great labor organization of the Communist taint in the leadership of some of its unions.

The CIO has never been on my side. In fact, it has been one of the most active of my political opponents.

For my part, I have found fault with the CIO many times. For years I have demanded that it purge itself of the Communist-card carriers and the fellow travelers who have had such great influence in its activities. And for years, because of this demand, some members of the CIO have called me a wide variety of names—none of them pleasant.

I have also criticized the rule-or-ruin tactics of the CIO, its insistence that public officials take care of it first, ahead of the welfare of the public as a whole. I shall always object to such tactics, whether they come from labor, industry, politics, or from any other source, including the Federal bureaucrats.

But when Philip Murray and his CIO do a fine and courageous thing, even though belatedly, I feel that they should be commended and congratulated.

I hesitated for several days to make this statement on the floor of the Senate. I believed it should and would come from the CIO's friends in the Senate, those who have backed its activities, and who in turn have been the beneficiaries of PAC votes.

But, oddly enough, none of them has come forward on this floor to laud that organization for its increasingly successful fight to get rid of the foul fumes of communism which pervade some sections of the CIO.

Since I believe that public recognition is due Mr. Murray and the CIO, I have decided that I should call attention to their action, rather than let it go unnoticed on the floor of the United States Senate.

I want to remind the Senate that Philip Murray, national president of the CIO and of its steelworkers, is a Pennsylvanian. He is a former coal miner of my State; in fact, he worked in the coal mines of Washington County, my own home county. He rose to his present eminence by hard work and full use of his intelligence. He is and always has been strongly anti-Communist.

What is now and important is that finally he has been able to rally enough other leaders of his organization to make the drive which is presently succeeding.

Mr. President, I commend to the United States Senate the action of the CIO board, which met here in Washington the other day and made clear that it will no longer tolerate Communists and Communist sympathizers in high places in the labor organization.

It is appropriate also at this time to suggest similar action by those bureaucrats who, wilfully or otherwise, have closed their eyes to the dangers of communism in this country. I recommend that they face this situation with vigor and courage, and take such steps as are necessary to drive out every Communist who holds a place in our Government.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

The Senate resumed the consideration of the bill (H. R. 2633) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

Mr. TYDINGS. Mr. President, I should like to make a brief explanation of the pending bill. It is similar to one which was passed unanimously by the Senate at the last session. The bill presently before us is a House bill which passed the House of Representatives, as I recall, by a large favorable vote; I think there were only about four votes in opposition to it. It is called the Central Intelligence Agency bill.

Although this measure may be looked upon by some persons as of little importance, in my opinion, for whatever it may be worth, it is one of the most important pieces of legislation which we shall consider in this Congress. I say that for the reason that it is important that our military authorities be completely advised in regard to what is taking place in the world, so that they may constantly make an estimation of the probable dangers which eventually may confront our country, and of how they may deal with them.

The bill relates entirely to matters external to the United States; it has nothing to do with internal America. It relates to the gathering of facts and information beyond the borders of the United States. It has no application to the domestic scene in any manner, shape, or form.

The work to which the bill relates is dangerous work. In many localities where representatives of our Government may go in quest of information, if they are detected they are likely to pay for their adventuresome spirit with their very lives. I should say it is not improbable—and I am measuring my words—that many men working for our government already have paid the supreme sacrifice in attempting to gather information of a nature vital to our country. Particularly when our soldiers are stationed abroad in such goodly numbers in many countries, and where there are at times the possibilities of conflict, it is important that a variety of useful information be assembled, in case of need—not that we are going to use it to make war, but so that we may use it in the event war is made upon us, so as to save the lives of citizens of our country and even the lives of civilians who are not citizens of our country, but who might be in the path of a conflict in which our own troops might eventually be engaged.

This bill has the approval of the State Department and of the Department of

military department of the Government. The bill has been referred to the chairman of the Judiciary Committee of this body, the Senator from Nevada [Mr. McCARRAN] who is in charge of certain phases of activity in our domestic scene upon which this measure might impinge slightly; to wit, the admission to this country of an immigrant who would give us valuable information. The Senator from Nevada has read the bill and has given his written approval of it.

I am available now to answer questions, insofar as I can, by Senators who are not members of the committee, who perhaps would like to have some information which I have not covered in this brief summary. I have no desire to take up the time of the Senate in an extensive analysis of the bill, but I think I have indicated enough to show what its general purport is and how important it might be in conceivable circumstances to the safety and the lives of people in and out of uniform in our own country.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Virginia.

Mr. ROBERTSON. I should like to ask the distinguished Senator from Maryland whether the program is to supplant the present counterintelligence work of the Army or is to complement it?

Mr. TYDINGS. I may say the bill changes nothing that is not now in existence insofar as foreign intelligence is concerned. It is already provided in the Unification Act that there shall be a central intelligence agency charged with these duties, but unfortunately the provision is couched in a generality, and this bill is to give the agency, inasmuch as we have it anyway, the mechanics so it can be more effective than it could otherwise be.

Mr. ROBERTSON. I may say to my distinguished colleague that I am in full sympathy with the purpose of the bill and shall gladly support it.

Mr. TYDINGS. I say in conclusion, we must always know the size of the armies of other countries, we must know what their air potential is, what inventions they are pursuing, what the people in a possible enemy country are likely to think or are likely to do, or how they are likely to react to a given circumstance. We cannot merely take the word always of the governmental authorities who are for the moment in charge of those countries. We have to know the real truth, and it is in order to do this that we have such an agency as this, that the logistics that flow from this information may be always available in the time of emergency.

Mr. CAIN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Washington?

Mr. TYDINGS. I yield.

Mr. CAIN. May we safely conclude that in the days prior to World War II America did not benefit from what the Senator and his associates have endeavored to work out and are now presenting?

6948

## CONGRESSIONAL RECORD—SENATE

MAY 27

Mr. TYDINGS. I would say that prior to our entry into World War II we were babes in the woods to a large extent in this field. If we had had then what we have now it is possible there might have been a different result at Pearl Harbor. The information was there, and we should have had men operating within the group who were adverse and hostile to the United States, working with them, so they could have told us what were the intentions of those people who were under our flag, ostensible citizens, but who were plotting, in liaison perhaps with possible enemies, to destroy the United States of America. I thank the Senator for his interruption.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. As one who followed the bill very closely last year and was in charge of it, there is but one thought on which I think the Senator might enlarge somewhat. This intelligence agency does no work at all within the continental United States, except to assimilate information it receives elsewhere. Is not that correct?

Mr. TYDINGS. The Senator is completely correct. There is not a single agent of this intelligence agency working within the United States in any form of espionage, directly or indirectly. It is purely and completely and wholly and singly in the external or foreign field. It has no connection with the FBI, it is not under the FBI, it does not do the same kind of work as the FBI. Its sole effort is outside the United States.

Mr. SALTONSTALL. Am I correct in saying that it does not interfere with the FBI in any way, shape, or manner?

Mr. TYDINGS. That is correct. It does not interfere with it in the slightest degree. Are there any other questions? If not, I do not desire to hold the floor, but I hope the debate will not be too greatly extended, that we may draw the issue, whatever it is, and have the Senate on record, and I hope, with overwhelming support.

The VICE PRESIDENT. The bill is open to amendment.

Mr. LANGER and Mr. NEELY addressed the Chair.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. LANGER. I yield to the Senator from West Virginia.

Mr. NEELY. I thank the Senator, but I want the floor in my own time.

Mr. LANGER. Mr. President, I have listened with considerable interest to the Senator from Maryland. I agree with him that in general the purposes of the bill are fine. I agree with him that it is one of the most important bills ever to come upon the Senate floor. But I totally disagree with him as to two aspects of the bill. With respect to those aspects of the bill, I propose to offer amendments in the hope that we may be able to make the bill what it ought to be.

First of all, I call attention of the entire Senate to the report of the House committee, which, at page 6 thereof, says:

of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

So, Mr. President, we have a situation in America wherein the House of Representatives passed a bill without having full and detailed information of the provisions of the bill, without, as a matter of fact, knowing exactly what the purpose of the bill was, and so far as I know—

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I decline to yield at this time. A little bit later, I shall be glad to yield to the Senator. I say that so far as I know, it is the first time in the history either of the House or of the Senate that any report contained the statement:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of highly confidential nature.

Mr. President, I ask every Senator, if he will, to compare the House report with the Senate report. It will be found that they are almost identical, with the exception of the three or four lines which I have just quoted. In other words, in the House there were a few Representatives who objected to the bill. By reading the proceedings of the House yesterday it became apparent that those Representatives resented the fact that they were asked to vote for a bill which had not been reported to them in its entirety, a bill as to which there was some secret, confidential information they had not obtained. The result was that when the Senate Committee on Armed Services submitted its report those four lines were eliminated.

What did Representative CLEGG, chairman of the House Committee on the Judiciary, say about the bill? I read from the debate in the House, on March 7, at page 1935, Mr. CLEGG's statement:

Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the lurid reasons? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on Armed Services. The Committee on Armed Services has nothing to do with immigration.

I may say, Mr. President, that I have here a copy of the La Follette-Monroney Act. That legislation was passed 2 years ago in order to give to each committee jurisdiction of certain specific matters. On page 17 of the La Follette-Monroney

diction of immigration and naturalization. The distinguished Senator from Maryland knew that, so he talked to the chairman of the Committee on the Judiciary. The distinguished Senator from Maryland is one of the ablest Senators upon the floor. He made a long and extended argument in favor of the La Follette-Monroney bill. He knew that the chairman of the Armed Services Committee had no authority to write any law affecting immigration and had no authority to pass upon such a matter. It was a matter which was entirely and solely, first of all, within the jurisdiction of the Subcommittee on Immigration and Naturalization of the Judiciary Committee. Up to the present time the bill has not been referred to the Judiciary Committee.

I want to make it clear how differently committees function. In the Eighty-sixth Congress the Committee on Post Office and Civil Service unanimously reported a simple bill providing for reduced postage rates to Germany, Austria, Italy and some other European countries. When we got through with it it was decided that the bill should go to the Committee on Foreign Relations. That committee, in turn, had to pass upon the question as to whether there was anything in the matter of lowering postage rates to some of the foreign nations which would be detrimental to our foreign relations.

We have in the pending bill a brand new section, one which, according to my recollection, was not in the bill of last year. It is exclusively, fully, and completely within the jurisdiction of the Immigration and Naturalization Committee of the Judiciary Committee, and at no time was it ever referred to that committee.

Representative CLEGG continued his speech as follows:

Now this provision I have read from the window, at the discretion of the Attorney General in this bill and the Attorney General, all the legislative immunities and restrictions that we have built up over the years.

Representative CLEGG was absolutely correct. He said, further:

It throws them to the winds and it the Attorney General and the Director will admit Fascists, Communists, Hitler hatters, morons, moral perverts, epileptics, lepers, they can do it. I think the House ought to know what it is legislating about, and I think, in a measure, this indicates how the cold war is unhinging the nerves of some of our high military authorities. The secrecy, especially the brand we are treated to, is ridiculous. Secondly these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whether we are going. The military is not infallible. Witness the revelation of the charges levied by the military intelligence against one Agnes Smadley recently, that she was a Communist, or a Russian spy, and instead of retracting when they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision which should be stricken from the bill or, if it is not stricken, certain safe words should have been added.



1949

## CONGRESSIONAL RECORD—SENATE

6919

When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

Mr. President, I wish to invite attention to section 8 of the bill. I may add that I shall offer an amendment to strike out section 8. That section reads as follows:

SEC. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security on essentials to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any 1 fiscal year.

What is the situation, Mr. President? Two men, the Attorney General and the Director, can set aside the entire immigration laws of the United States. Already there are five or six million aliens in this country. Already the Attorney General and the Director of Immigration have advised our committee that they cannot find them all in order to get rid of them. We have had an example of kings, queens, princes, counts, dukes, and what not, chasing over to England, and of the existence of governments in exile there. Already some have chased over to the United States. King Peter of Yugoslavia was riding in Connecticut, going at the rate of 70 or 80 miles an hour, when he was arrested for speeding and endangering the lives of persons along the highway. He claimed immunity. He said, "I cannot be arrested." The police of the State of Connecticut released him. A few nights later he was in a place in New York called the Stork Club. I discussed this incident with my distinguished friend from Maryland. He said he was thoroughly familiar with the Stork Club. It so happens that I am not familiar with it. I do not know how large a place it is, but it seems they have certain favorite tables in that club. At any event, when the ex-King of Yugoslavia dropped in, he was not given the best table. He was given what he thought was a second-best table. So he started a rumpus, and, as I remember, the police were sent for and the manager of the Stork Club stood firm and said he would not take the table away from the people who occupied it and give it to the so-called King of Yugoslavia.

There is nothing to prevent all the ex-crown princes and persons of so-called blue blood or royal blood, with whose names I am not familiar, but whom my distinguished friend from Maryland knows by heart—he knows some of them by their first names, I found in discussing the matter with him—there is nothing to prevent their coming in at any time. They do not have to enter as other individuals do. All they have to do is to get the Attorney General and the Director to say, "Come on in." They do not have to obey a stupid law.

passed in order to protect citizens of the United States.

When this bill was before the House, another Representative had much to say about it. Before I take that up, I repeat what I have already said, I intend to offer an amendment to eliminate section 8. If the proponents of the bill want section 8, if they want to have the power to let a hundred people come into the United States, and if they are people who for national security reasons should come in, I have not any objection to having a separate bill introduced and presented to the proper committee, and with proper safeguards we can see that people who will help the United States can get into our country in 24 hours, as the report made by the Committee on Armed Services says they want the law to be.

Why stick in this section 8? It is stuck into a bill where it has absolutely no right to be. It is stuck into a bill which deals with contracts, into a bill which provides that the Director of the Central Intelligence Agency may make contracts involving up to \$1,000, that he can buy things in an emergency, and all that sort of thing. Then out of a clear sky they stick in section 8, providing that 100 people may be admitted without regard to the immigration laws of our country.

Mr. President, both the distinguished Senator from Massachusetts and the distinguished Senator from Maryland a few moments ago stated that this bill had nothing to do with the internal affairs of this country at all, that it dealt only with territory outside the continental United States. Let me read subdivision (B) on page 7:

While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the agency or elsewhere, but the time of such work or duties shall not be counted as leave.

The Senator from Maryland says that what is provided for in the bill is being done now, that the Navy and the Army and other branches of our Government have thousands of these people. I have not the least objection to taking all of them and putting them under the Central Intelligence. I have not any objection at all to that being done, and the cost to our taxpayers being reduced, provided the people do their work outside this country, just as was alleged a few moments ago by the distinguished Senator from Maryland is being done.

Mr. TYDINGS. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield to the Senator from Maryland.

Mr. TYDINGS. I share the Senator's concern, and I am glad he wants to be reassured in reference to this matter. But let me correct the Senator. I never said that the Army and the Navy had thousands of men engaged in this service. So far as I knew, the Army and Navy have no one engaged in it.

To come down to the point the Senator raises as to paragraph (B) on page 7, that will apply only when the agents are brought back for reorientation, to be told what their new tasks shall be.

called to Washington and assigned to a new task, given training in the new task, and then sent out. They do no work in the United States, but they do have to come back to be indoctrinated into all the difficulties which will confront them when they take up a new task. That is the only purpose.

I know the Senator may not agree with me, but he knows I would not deceive him in any sense of the word as to this bill or any other matter, and I can assure him, after thorough investigation, that none of these agents will work at all in the United States. The only time they will do anything here is when they come, either on leave to visit their families, or come back, if they are changing their stations, to be reindoctrinated.

Mr. LANGER. The Senator said that the Army and the Navy had none of these people here, yet he told us not half an hour ago that all the work that is contemplated by the bill is being performed here now by agencies. What are those agencies?

Mr. TYDINGS. It is being performed by the Central Intelligence Agency, which is a branch of the National Security Council. It works under the National Security Council. It advises the President.

Mr. LANGER. The Senator knows that we have a Naval Intelligence, and he knows we have a Military Intelligence.

Mr. TYDINGS. If the Senator will permit me to complete my answer, he has gotten the two things confused, understandably. Army Intelligence deals primarily with logistics. We know how large a certain army is, we know how large a certain navy is, we know how many airplanes another country has, we know how many trucks he has. Naval Intelligence deals primarily with navies, or the logistics of moving or dealing with armaments in the hands of a possible enemy. The organization we are here concerned with is primarily established to find out what the intention of a possible enemy is, what he is doing, what he is concealing, his movements, what the people in the foreign country think and assorted information of tremendous value on a military plane.

There are none of these agents who work in the United States. I hope the Senator will take my word for that. We went into that subject very thoroughly in the committee, and all this work is completely outside the United States, except for the indoctrination which must take place whenever an agent is sent into a new field.

Let us suppose an agent is being sent to Country X. He has to be told what he is to do in Country X, he has to be told what the customs are in Country X, he has to be furnished with a variety of information so that he can work there unobserved and obtain information, and, to tell the truth, so that he will not be killed, as in some cases men have been killed. The reason why there must be secrecy is that we do not want men to lose their lives, and I regret to tell the Senator from North Dakota that some men have already lost their lives.

6950

## CONGRESSIONAL RECORD—SENATE

MAY 27

regretfully, and we want to make provision so that others will not lose their lives.

When men undertake this character of work, they take it on the understanding that they may not come back, because in some cases when they are caught they are put to death. We might as well say that on the floor of the Senate. We are dealing with the lives of men who are in this service, and for that reason there has to be a great deal of secrecy thrown around the work.

Mr. LANGER. Mr. President, I repeat what I said at the beginning of my argument, that I agree fully, completely, entirely, absolutely, and wholly with the desire to protect the lives of these people working for our Government. I believe in national security.

Let me read what Mr. SASSER said about the purposes of the bill in the House of Representatives. I read from his statement:

Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947.

Now I wish to ask the Senator from Maryland a question.

Mr. TYDINGS. Will the Senator allow me to make an observation before he asks the question?

Mr. LANGER. Certainly.

Mr. TYDINGS. I should like to tell the Senator that the Senator from Maryland was fortunate enough to have a boyhood friend who had charge of some of the most difficult and important work undertaken in this line of activity during the war, and I have perhaps heard more of the ramifications of this service than any other man in Congress, because I had the good fortune to sit at the feet of this particular individual, and I have heard him tell many things that happened, and the difficulties encountered. So I have a little more concern than I would have, had it not been for this personal experience. It is only out of abundant caution, knowing how a little thing disclosed may put an agent in a very difficult place, that the Senator from Maryland has striven to be cautious in what he has said.

Let me say a further word. Suppose a man is a citizen of country A. Suppose he comes to our representative and says, "I am a citizen of country A, but country A does not like your country. I do like your country. I should like to work for your country." Suppose that man is working in some official capacity in country A, and we employ him, and get information we may desire. If that man were to be detected he must know in advance that he can come to the United States, that he can escape, and secure asylum here. Otherwise, on his return, he will be confronted with the general laws of the country from which he came, and the means by which he came.

dangerous work we will have to give them the assurance that we will stand behind them in the event they are threatened with the loss of their lives if they are detected while working for our country.

Mr. LANGER. Mr. President, I agree with every single word the Senator from Maryland has said. I repeat, however, that I agree also with the distinguished chairman of the House Committee on the Judiciary, Representative Celler, when he said, on the question of immigration:

On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision, which should be stricken from the bill, or, if it is not stricken, certain safeguards should have been added.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Let me say to the Senator from North Dakota that no one can come into this country under the bill except with the approval of the Attorney General, who already has supervision over the immigration laws, and of the Secretary of Defense. A person cannot wait to secure a visa when his life is threatened. A man who undertakes this dangerous work wants to know that he can come into the United States on 2 minutes' notice; that he will be identified and given asylum here. He will not undertake such work unless he knows that, if he is detected and wants to flee for his life, there is an open door into this country for which he is risking his life to serve, and that he will not have to go through the red tape of securing a visa. Let me tell the Senator that every government on earth makes provision of this sort for men who work in the secret service.

Mr. LANGER. Mr. President, again I assure and reassure and re-reassure the distinguished Senator from Maryland that he and I are in complete agreement on the matter of allowing entry to whatever number of persons may be necessary; but, nevertheless, I agree with the distinguished chairman of the House Committee on the Judiciary when he says:

This particular provision . . . should be stricken from the bill, or, if it is not stricken, certain safeguards should have been added.

Section 8 does not protect the people of the United States from having a group of Communists or Fascists, or whatever they may be, come into this country. Section 8, which in a proviso permits the entry of 100 persons a year, provides:

Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility.

Mr. President, I submit there is no

diction over these persons after they get into our country. When they come here they are on an absolute par with the distinguished Senator from Maryland. They can go wherever they want to go, they can do what they want to do. There is no provision that they must make reports. There is no provision for following them up. That is why I say that, agreeing as I do with the distinguished Senator from Maryland, I believe we should place some safeguards in section 8, or else keep such aliens out of the country.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. In the first place, I believe the Senator has covered a great deal more territory than the facts in the bill warrant. For example King Peter, and all the princes and dukes and other royalty who visited the United States during the war came in under State Department visas, and they have nothing more to do with this bill than I have to do with the Chinese Communist Government at this moment. They all came to the United States when there was no Central Intelligence Agency in existence. They all came here under State Department visas. We are not in this bill dealing with any such attention. Anything of that nature is as far from our debate as Siam is from North Dakota.

Let us get down to the meat in the coconut. What greater safeguard would the Senator want than to require that the Director of the Central Intelligence Agency, who is charged with the security of the country so far as internal security is concerned, and is certainly not going to permit anyone to come into the United States who might endanger the security of the Government, and the Attorney General of the United States, who is charged with enforcing the law, shall make the determination? Would the Senator from North Dakota feel more assured if we put the President in it, too?

Mr. LANGER. I might say to my distinguished friend from Maryland that if we had another Attorney General like Harry Daugherty, I would not want him to pass on anything, even a dog, coming into this country. We have had one Attorney General of that kind.

Mr. TYDINGS. We have had Senators and Representatives and even Presidents who have not been all we would hope they should be.

Mr. LANGER. We have immigration laws to take care of the admission of aliens. Under our immigration laws safeguards can be placed around the entry of these 100 people. I want the immigration laws of the country enforced, or, if necessary, so changed as to provide safeguards when these hundred individuals the Senator wants excepted, are admitted into the country.

Mr. TYDINGS. How would the Senator do that?

Mr. LANGER. I would have the action submitted to the Committee on the Judiciary and to the Immigration and Naturalization Service.

Mr. TYDINGS. How would he get the people into the United States?

1949

## CONGRESSIONAL RECORD—SENATE

6951

safeguards he desires around them and around us?

Mr. LANGER. I would do exactly as the chairman of the House Committee on the Judiciary, Representative CELLER, said we should do. He suggested the way safeguards should be placed around us.

Mr. TYDINGS. What are they?

Mr. LANGER. I would call in the Director of Immigration and Naturalization and ask him what is necessary to be done in order to carry out the committee's recommendations. The Armed Services Committee did not do that. There are no safeguards contained in the bill at present.

Mr. TYDINGS. Oh, yes; the Attorney General and the man who is charged with securing the information to safeguard the United States of America certainly are not going to let come into the country someone who wants to do harm to the United States of America. The trouble is that Mr. CELLER is looking upon this sort of activity practiced by all governments as if it were a regular, open, above-board, orthodox, give-and-take procedure. This is one of the things which ought not to be practiced by any government, but which every government has to practice in self-defense. It is somewhat like war. No country ought to make war. A war is the most outrageous crime human beings have ever put their hands to. But so long as people are threatened to make war on us we have to protect ourselves. That is the philosophy of the bill. The lives of our men overseas in many cases depend on this bill having enough elasticity to it so it can serve the purposes of the security of the country without any undue delay. It may be the Senator's son or my son or someone else's son who is dependent upon the information which the Central Intelligence Agency will assemble for the protection of our troops.

Mr. LANGER. Mr. President, we are not at war at the present time. Representative CELLER yields to no man in patriotism. I have known "MANNY" CELLER for over 30 years. For 24 years he has been a Member of the House. For 24 years he has been a member of the Committee on the Judiciary of the House. When "MANNY" CELLER says there ought to be safeguards placed in the law before 100 aliens are permitted to come into the country, I take the word of Representative CELLER, the chairman of the House Committee on the Judiciary. He is an outstanding patriot. He is an honest gentleman, with a world of experience.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. I should like to say that I have served with Mr. CELLER in the House of Representatives. I became a Member of the House of Representatives and Mr. CELLER became a Member of the House of Representatives in 1922. My relations with him and affection for him and respect for him are of the very highest order. What I say is said with no reflection on him. But when the bill passed the House, after

vote was 348 in favor of the bill and only 4 against the bill. Let me say to the Senator that if this had been an immigration matter per se Mr. CELLER would have secured 343 votes in support of his position, and only 4 votes would have been against his position. This is not an immigration matter. It has nothing to do with immigration per se. This is asylum for military agents who are working for the United States, and who are faced with death if they are caught. We simply tell them in advance that if the Director who employs them, and the Attorney General, who is detached from the Director, approves it, if they are detected and their lives are in danger they may come into the United States. After that, they are just the same as anyone else. They have no immunities or privileges.

Mr. LANGER. Mr. President, the argument that this bill has nothing to do with immigration is the sheerest nonsense. Again I quote Mr. CELLER. At the end of his talk he said:

I have spoken briefly to advise the Armed Services Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

That is the statement of a man who has been a Member of the House for 24 years.

Mr. President, I invite attention to page 7 of the bill, subparagraph (B), which reads as follows:

While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

The services of such officer or employee are not to be used in this country. This bill deals with activities outside continental United States.

Mr. TYDINGS. That is correct.

Mr. LANGER. If that be true, would the distinguished Senator be willing to accept an amendment in line 4 on page 7, after the word "shall" to insert the word "not" and strike out lines 6 and 7?

Mr. TYDINGS. Will the Senator read the language as it would then be?

Mr. LANGER. It would read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

Mr. TYDINGS. I would accept that amendment with one qualification, and that is that they can receive training here. If the Senator will exclude training, if his language is broad enough so that training and indoctrination are not included as work, I shall be delighted to accept the amendment. I do not want to tie up the situation so that when they get to the United States they cannot receive any training or indoctrination. They are working then, but they are not working on espionage in the United States.

Mr. LANGER. Again I agree with the Senator from Maryland 100 percent.

Mr. TYDINGS. Let us adopt language which will accomplish that purpose.

Mr. LANGER. I have the amendment prepared.

Mr. TYDINGS. Work

the United States or receive pay while they are here for indoctrination and training, his language is most unfortunate. I am with the Senator in theory, but his language goes further than his theory.

Mr. LANGER. I am taking the language in the bill. With my amendment, the language would read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

Mr. TYDINGS. Let me show the Senator, in good faith, what he would do by his amendment.

Mr. LANGER. I am not through.

Mr. TYDINGS. If the Senator will lay aside his pride of authorship for a moment, and listen to me—

Mr. LANGER. I am delighted to listen to the distinguished Senator as long as he wishes to talk.

Mr. TYDINGS. I do not wish to take long. However, the language would read as follows:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

He could not even go to the central agency and work there. Does the Senator want to say that?

Mr. LANGER. I would not object to his working in the agency, but I do not want him to work elsewhere.

Mr. TYDINGS. I ask the Senator to read his own amendment, and see if it does not exclude work in the agency.

Mr. LANGER. The distinguished Senator just said—

Mr. TYDINGS. I cannot accept an amendment of that kind.

Mr. LANGER. Suppose the distinguished Senator drafts the amendment.

Mr. TYDINGS. I think the language is all right as it is. I am not complaining.

Mr. LANGER. The Senator said he would accept the word "not."

Mr. TYDINGS. I said that I would accept the word "not" assuming that it allowed the man to work in the agency, and allowed him to be trained in the United States.

Mr. LANGER. We can meet that difficulty very simply by adding the word "except."

Mr. TYDINGS. Will the Senator read the language as it would be with the word "except"?

Mr. LANGER. It would then read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency, and for training.

Mr. TYDINGS. How about orientation schools?

Mr. LANGER. Let us put that in.

Mr. TYDINGS. If the Senator will complete his amendment, I am willing to accept an amendment which is concise and clear, and which does not include the orthodox work of these agents within the continental United States. In my opinion, that is what the present language does.

6952

## CONGRESSIONAL RECORD—SENATE

MAY 27

in the House the claim was made that when these men come back they will be used to break up labor unions. I do not believe it.

Mr. TYDINGS. Let me tell the Senator how that foolish idea originated. Let us assume that a laboring man is a part of this organization, and that we want to send him over to Germany, for example. Let us assume that he speaks German. He may never have had any affiliation with a labor union. He is going to associate with men both in and out of labor unions. Obviously he would have to be sent where labor unions meet and discuss questions, and where they act, so that he could get the feel of the situation, and so that he would not be like a sore thumb sticking out when he reached a foreign country. He would need to know the techniques, the lingo, the habits, and so forth, of those who are labor-union men, in order that he might be an efficient, undisclosed officer gathering information, without any idea on the part of those who would give it, that the information was being imparted to our Government.

Mr. LANGER. I fully agree with what the distinguished Senator says.

Mr. TYDINGS. I do not believe that the Senator can improve very much on the bill. The very questions which he has brought up have been thoroughly canvassed and considered by the committee. The exact language which we have accepted has been adopted as safeguarding our internal affairs while giving the widest scope to the agents in the external field.

Mr. LANGER. The Senator may be correct—

Mr. TYDINGS. We have been all over this question in great detail. Witnesses have been interrogated at great length. The hearings have been extensive. We have considered every phase of the problem. The Senator has not heard the testimony. Neither has Mr. CELLER. He did not attend one of the hearings—and properly so, because he was not supposed to attend them.

Mr. LANGER. The Senator's argument sounds very strange to me, after the experiences which I have had on committees. For example, take the pay bill. After more than a month of hearings last year, although the distinguished Senator from Maryland and some of his colleagues were not present at the hearings, they offered amendment after amendment. What is there sacred about this bill that it cannot be amended? It is the same as any other bill. I think I have a good amendment.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Let me say to my friend from North Dakota that there is a great deal of difference between amending a pay bill and dealing with an extremely sensitive and secretive function of Government which has to do with the lives of men, not in wartime, but in peacetime. When we find that a man who has undertaken this work has not returned, but has been destroyed, we are not very anxious to do something which

man who comes along to carry on the task from that point.

I have already said much more in this debate than should be disclosed. I think this debate is unfortunate. I think it ought to be in executive session. I think there is a great deal of meat in what must be said here in order to get the bill through, which is serving those who are not friends of the United States. This is one time when there ought to be secrecy. The whole atmosphere of the bill is secrecy. I regret that in answer to the Senator's questions I have been forced to disclose as much as I have disclosed. We are not serving the United States or the brave men who are going forth under all kinds of difficulties to help to place the security of our Nation beyond peradventure.

Mr. LANGER. Mr. President, I yield to no man, including the distinguished Senator from Maryland, in patriotism. However, I will never stand on this floor with a report and say, "We are not reporting everything to this body which should be reported. We are keeping some of it back." The time has not yet come, during a period when we are not at war, when we cannot discuss any bill upon the floor of the Senate. So long as I am a Member of this body, whenever any proposal for appropriations is brought before us, or a bill to draft the boys from the farms, or any other kind of bill, I will not stand idly by and say, "We cannot discuss it."

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Does the Senator think we ought to tell how many men we have in this service?

Mr. LANGER. I did not ask the Senator any such question.

Mr. TYDINGS. Does the Senator think we ought to tell their names and ages?

Mr. LANGER. The Senator knows very well that I did not ask such a question.

Mr. TYDINGS. It might be pertinent information.

Mr. LANGER. It might be; but I have not asked such foolish questions.

When it comes to creating an agency, I see no harm in seeing to it that the wording of the bill is right. I for one am not going to take any chances without a protest, even though I vote alone, against the establishment of a Gestapo in the United States by which people may be hounded and harassed by a central bureau, or by anyone else.

I know the fine mind of the Senator from Maryland, and I know what a big heart he has. I know how patriotic he is. He is one of the few Members of this body who has received the highest medal that it is possible for a man in the United States to get.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KAUFMAN in the chair.) Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. LANGER. I yield.

Mr. TYDINGS. I wish to say to my

kota—and I hope he will forgive me if I appear a bit vain in what I am about to say—that military and scientific developments have reached such wide ramifications today that it is not always possible to give to the Senate the detailed information in regard to many things which we would be delighted to give to the Senate or to have Senators who are not on the committee know if they could come to the hearings where we hear these things.

My reactions were exactly the same as those of the Senator from North Dakota when I first approached this bill. But if my judgment is worth anything—and in making this statement I am carefully measuring my words—I wish Senators to know that in my opinion this bill is carefully worked out. Every safeguard which could possibly be put into it without destroying its purpose has been put into it. Our committee is unanimous about the bill, not because we are in favor of espionage, for we are opposed to it, but because we hope it will not occur.

So I hope the Senator from North Dakota will not suggest the amendments he has indicated, because in my judgment they would do the bill more harm than any good whatsoever which they could possibly do.

Mr. LANGER. If we leave paragraph (B) the way it is, it would do the country a great deal of harm. It now reads:

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the agency or elsewhere—

And so forth. Mr. President, my distinguished friend, the Senator from Maryland, has not had the experience I have had with being hounded by Mr. Ickes' men, when he was Secretary of the Interior—when, as Governor of the State of North Dakota, I had men following me all over the United States, and my telephone in the Governor's office was tapped, and my desk in the Governor's office was broken into by men whom Harold Ickes had snooping around trying to "pin" something on me—and when similar things happened to the Republican lieutenant governor of Iowa, for such attempts were likewise made to "pin" something on him.

So I say to the Senator from Maryland that, in my judgment, the bill as now written would enable this agency to send its men inside the United States, into places inside the United States, for nothing in the bill would prohibit that. The only way that could be prohibited would be by inserting the word "not" in the bill at the point I have indicated.

Frankly, Mr. President, I cannot see any objection to such a change in the bill. If we make that change, paragraph (B), on page 7, then will read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave.

It seems to me that is an amendment which my friend, the Senator from



1949

## CONGRESSIONAL RECORD—SENATE

6953

conscience to accept; and I believe it would entirely do away with the charges which were made in the House of Representatives—that these men might possibly be used to break up labor unions or for some similar purpose.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. LANGER. I yield.

Mr. TYDINGS. Of course, the Senator from North Dakota appreciates that I, as chairman of the committee, could not accept the amendment without breaking faith with the other members of the committee, who have not authorized me to do so.

I would say to the Senator from North Dakota that, as he has finally modified the amendment, he has made it a great deal more palatable. I cannot vote for it, but perhaps the Senate will agree with the point of view of the Senator from North Dakota. I hope the Senate will not, because I do not think the amendment is necessary. But I say that the Senator from North Dakota has made the amendment much more palatable now than it formerly was.

Mr. LANGER. Mr. President, I wish the Senator from Maryland would accept the amendment, because it is fundamentally right.

Mr. TYDINGS. Mr. President, I say to the Senator from North Dakota that I should like to have him repeat the amendment.

Mr. LANGER. Certainly. It is as follows:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for recreation for work; and the time of such work or duty shall not be counted as leave.

Mr. TYDINGS. Mr. President, I will take the amendment to conference. Of course, I do not like to be a party to any deception and I point out now that the amendment is new. It is worthy of thought. The Senator from North Dakota has made a real effort to interweave his philosophy with the exigencies and dangers involved in this whole proposition.

I will not promise that the amendment will come out of conference; but the Senator from Maryland will do his best to see to it that the amendment receives adequate consideration along the lines the Senator from North Dakota has mentioned.

Mr. LANGER. Mr. President, I am very grateful to the Senator from Maryland.

Now let me ask about section 8. What can we do there to meet the objections of Mr. Celler? I refer now to section 8 on page 12.

I may say to the distinguished Senator from Maryland that I know that provision is not right.

What I shall mention now may have no bearing at all upon this particular piece of proposed legislation, but I wish to call the attention of the distinguished Senator from Maryland to a point which I believe is important.

The PRESIDING OFFICER. Will the Senator from North Dakota permit the Chair to interrupt long enough to ask whether a vote is to be taken on the amendment which already has been stated.

Mr. TYDINGS. Mr. President, the Senator from North Dakota has not yet offered the amendment. I hope he will offer his first amendment now, so that we may dispose of it.

Mr. LANGER. Mr. President, at this time I offer the following amendment to the pending measure: On page 7, strike out lines 3 to 7, inclusive, and substitute the following:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for recreation for work; and the time of such work or duty shall not be counted as leave.

Mr. TYDINGS. Mr. President, I accept it, with the understanding that I will take the Senator's amendment to conference, if it is adopted, for further consideration, but that I do not feel bound to insist upon it if in the light of further consideration I feel that we cannot take it; but I accept it in good faith, and will attempt to see that it is given every consideration in line with the Senator's philosophy.

Mr. LANGER. Again, Mr. President, let me say that I am very grateful to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, let me inquire about the other amendment the Senator from North Dakota has in mind.

Mr. LANGER. I have in mind an amendment to section 8, on page 12. I would offer an amendment to it.

Mr. TYDINGS. I am afraid I cannot accede to that.

Mr. LANGER. I was going to suggest that somewhere in that provision we could insert the safeguards which Mr. Celler requested, perhaps included the words "shall be provided by the Bureau of Immigration."

Mr. TYDINGS. Of course, that comes under the Attorney General. The Bureau of Immigration is under the Attorney General's Office under the new Reorganization Act.

Mr. LANGER. That is correct.

Mr. TYDINGS. If the Senator from North Dakota would like me to add: Whenever the Director and the Attorney General or the head of the Bureau of Immigration.

I would be inclined to go that far, in order that the Immigration authorities might be put directly on notice.

Mr. LANGER. Does the Senator from Maryland mind changing that to read "or under rules and regulations provided by the Bureau of Immigration"?

Mr. TYDINGS. I do not think that could be done, for the considerations involved would be so divergent.

But I think the Bureau of Immigration would not admit a man unless the Director

constrated that it was rather imperative that he be permitted to come in.

Mr. LANGER. Perhaps so.

Mr. TYDINGS. Mr. President, on behalf of this compromise arrangement, I ask that we consider an amendment, as coming from the Senator from North Dakota, as follows:

"Strike out the first two lines of section 8, on page 12, as they now appear, and insert 'Whenever the Director, the Attorney General, and the Commissioner of the Immigration Service shall determine that the entry of a particular alien into the United States,' and so forth. What the amendment does is simply to add the Commissioner of the Immigration Service. The Senator from North Dakota wants to make sure that the Immigration authorities are apprized directly of the action that is proposed to be taken.

Mr. LANGER. And, I may say, would know who the alien is, and would make a record.

Mr. TYDINGS. I would accept that amendment if the Senator will offer it now, and ask for a vote.

Mr. LANGER. I offer the following amendment: On page 12, strike out line 17, and in line 18 strike out the word "General", so as to make it read:

Whenever the Director—

Mr. TYDINGS. "And the Attorney General."

Mr. LANGER. "And the Attorney General"

Mr. TYDINGS. "Or the Commissioner of Immigration."

Mr. LANGER. "Or the Commissioner of Immigration shall determine."

Mr. TYDINGS. I want the Senator from North Dakota to understand that in accepting the amendment and taking it to conference, he realizes I have not had the chance to give it all the thought that ought to go into any change, but I am accepting it in good faith. We will consider it in conference, but if it does not come back in the bill, I hope the Senator will not charge me with failure to carry out any agreement.

Mr. LANGER. The Senator from Maryland is the last person in the world I would charge with failure to carry out an agreement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. JOHNSON of Colorado. Mr. President, just a moment. The Senator from Maryland read the amendment one way, and then it is being changed, and a very serious change is being made.

Mr. TYDINGS. I read it "or."

Mr. JOHNSON of Colorado. Yes. "Or" is a far different word from "and." It will not mean anything if the word "or" is used. There would be no change in it whatever, if it is amended to read "or."

The PRESIDING OFFICER. The clerk will state the amendment again for the information of the Senate.

The LEGISLATIVE CLERK. On page 12, in line 17, it is proposed to strike out the word "and" and insert a comma and a

6954

## CONGRESSIONAL RECORD—SENATE

MAY 27

proposed to insert the words "or the Commissioner of Immigration."

Mr. TYDINGS. I ask that the word "or" be stricken out preceding "the Commissioner of Immigration," and the word "and" inserted.

The PRESIDING OFFICER. The clerk will restate the amendment, as modified.

The LEGISLATIVE CLERK. On page 12, in line 17, it is proposed to strike out the word "and" and insert a comma; and in line 18, after the word "General," it is proposed to insert the words "and the Commissioner of Immigration."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER], as modified.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, I hope we can now have the bill passed.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

Mr. JOHNSON of Colorado. Mr. President—

Mr. TYDINGS. Mr. President, I do not think the Senator from North Dakota desires to bring up any other matters. These are the only two matters he discussed. The Senator has left the floor. I shall keep talking for a minute or two if I have the floor, until the Senator can be contacted and asked whether he has any other matters he wants to bring up.

Mr. JOHNSON of Colorado. If the Senator does not mind, and if he has nothing else he wants to say, I shall be glad to speak for a minute or two, because I have a few thoughts to express.

Mr. TYDINGS. I shall be delighted to yield. I was only making a suggestion, so we would not take advantage of the absence of the Senator from North Dakota, in the event he had not finished.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. JOHNSON of Colorado. I wished to propound a question to the Senator from North Dakota, and I hope the Senator from Maryland will remain.

Mr. TYDINGS. I have not had luncheon yet. If it is going to take long, I think I should like to get a sandwich.

Mr. JOHNSON of Colorado. I am not going to talk very long. I assure the Senator I shall be very brief.

Mr. TYDINGS. I will remain.

Mr. JOHNSON of Colorado. I shall speak briefly, and I hope very much to the point. I trust the Senator will realize my anxiety about this legislation. I do not want to keep him from his luncheon, and I apologize to him for not having been here sooner, as I had intended to be, to hear his explanation and his argument on the bill, but I could not.

Mr. TYDINGS. I have just received word that, with the amendments adopted, the Senator from North Dakota has nothing more to say about the bill.

Mr. JOHNSON of Colorado. That is fine. I do not know whether I can join the Senator from North Dakota in approving the bill with these amendments or not, but I do want to make a brief

bill, but as I read the measure, it is very radical legislation. I do not know of any legislation passed by Congress which is so sweeping and which goes so far as this legislation does, except the legislation pertaining to atomic energy. I know I should feel a great deal better had the bill been referred to the Committee on the Judiciary and that committee had given attention to the sweeping provisions contained in the bill. Doubtless few Senators on the floor have the same fear of military fascism that I have; I doubt whether they have. I know that very few of us seem greatly concerned that 34 percent of all our taxes, all of our revenues, goes to the Pentagon Building. To me that is a very disturbing thing.

Perhaps I am entirely wrong; perhaps I do not comprehend the significance and effect of the pending legislation, but as I understand we are setting up in this country a military gestapo. I recall very well an argument made in this Chamber by the late Senator Norris, of Nebraska, away back in 1940. It impressed me deeply. He was arguing against the Congress of the United States setting up a gestapo in this country. I do not agree with what the Senator said in his references to the FBI, because I think the FBI has been a splendid organization, which has made a tremendous contribution to check crime and I should not want to do anything to curtail its operation. But I feel very certain that if Senator Norris were on the Senate floor today he would rise in his place to argue against the sweeping powers which are being vested in the military through this piece of legislation.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. TYDINGS. I may say to the Senator that I share every thought he has expressed about the inadvisability, the lack of necessity, and the unwarranted institution of any kind of gestapo, military or otherwise, in this country. The pending bill, as I said in my opening statement, has nothing to do with the internal affairs of the United States of America. All these men work outside the United States of America, and the bill so provides. They cannot work in the United States of America. Their functions are exclusively in foreign fields, and they are gathering, by close examination, information which it is deemed necessary for our country to have, as to where this or the other thing is going on, and as to what is taking place, so that we can make our plans accordingly. I am glad to reassure the Senator that our committee had the same thought he has so well expressed, and that there is nothing in the bill to permit internal military espionage in our country by agents constituted in the Military Establishment.

Mr. JOHNSON of Colorado. It is very comforting to have the Senator make that statement. I may say I did not know the bill was coming up today. I knew it was on the calendar, and I promised myself faithfully that when I could

and what the effect of its language might be. But I have not had that opportunity. Perhaps it is all my own fault, and I regret it.

Mr. TYDINGS. I know the Senator is busy. I would say to the Senator from Colorado that the members of the Committee on Armed Services approached this proposition impelled by the same philosophy which the Senator from Colorado has expressed. We were perfectly willing to provide the Military Establishment with agents who would help in gathering pertinent military information in foreign fields. We were not willing to provide the military or any other establishment with agencies which would work in the United States in connection with our own people. There is nothing in this bill which touches the United States or is intended to touch the United States, except, of course, the headquarters are located here. The men must be told here what their missions are, and they must be given their instructions here, but the duties they perform are not performed in this country.

Mr. JOHNSON of Colorado. That reassures me completely.

Mr. TYDINGS. I know it does. Without that assurance, let me say that the Senator from Maryland would not be on this floor advocating the passage of the bill.

Mr. JOHNSON of Colorado. I have advocated for a long time that we develop our military information so that we might better know what is going on all over the world. Of course, I would not want to do anything that would handicap in the slightest the agencies which we have to do that and to ferret out what is taking place all over the world. I realize the tremendous importance of that information. The Senator's amendment is completely satisfied me, and I stand here in favor of his bill.

Mr. TYDINGS. I measure my words in making the statement. It is not an intention and it is not the intent of the language which we have adopted to make possible the things which the Senator has a right to fear in lieu of a close examination. We have tried by testimony, by interrogation, and by the language of the bill to do exactly what the Senator wants done, and to stop right at the water's edge.

Mr. JOHNSON of Colorado. The reason, then, that the bill has not been sent to the Committee on the Judiciary is because it would not affect in any way justice within the United States. Is that correct?

Mr. TYDINGS. That is correct. It has to do with purely military intelligence, and with no other kind of intelligence at all.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I want to ask the Senator from Maryland with reference to paragraph (a) of section 6, on page 10 of the bill. I read it:

(a) Transfer to and receive from other Government agencies such sum as may be appropriated by the President for the

1949

## CONGRESSIONAL RECORD—SENATE

6955

activities authorized under sections 102 and 353 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred.

Mr. TYDINGS. Would the Senator like to have my explanation of that?

Mr. McKELLAR. I doubt the wisdom of that provision. The Committee on Appropriations appropriates specifically for every department of the Government. It has been found to work extraordinarily well. I am in favor of the bill; I am not opposed to it, but I think it would be safer and better—

Mr. TYDINGS. Would the Senator like me to tell him why that language is written into the bill?

Mr. McKELLAR. Yes, I would.

Mr. TYDINGS. If this were a normal function of the Government, like, for instance, building a bridge, or buying an airplane, or providing for reforestation, or for the construction of a dam, the Senator's observation would be a very good one. But let me tell the Senator that the men who work in this particular field frequently lose their lives. As a matter of fact, to the certain knowledge of the Senator from Maryland, several have already lost their lives, and not under very pretty circumstances, because, quite often, if they are deleted, they are forced to tell why they are there, and the picture is not a pretty one. If there are vouchers containing the names and the circumstances, going through Government channels, it might be possible for foreign-espionage agents to check on who the agents are through every conceivable source of information.

Therefore, if we should employ the same kind of accounting as would be employed in connection with building a bridge, strange as it may seem, expert men, skilled in detecting from little things the probabilities, are quite often able to detect who the agents are, and in that way they are tracked down and lose their lives. This is no ordinary bridge-building proposition. This is a matter of life and death, affecting men who are trying to do something to aid the security of our country and who take an enormous risk. The committee, after thorough consideration, determined that it would be better to have this general procedure followed in order to protect the men, rather than to follow the orthodox procedure, which might result in the loss of their lives. That is the reason why that language is in the bill.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall yield as soon as I complete my answer to the Senator from Tennessee.

I appreciate the observation of the Senator from Tennessee. Normally, it would be a most outrageous thing to proceed in this manner, but I think we owe these men every

business. If we are to appropriate the necessary money, we have to do it in such a way as to "bring home the bacon," if we want our country to be secure, if we want to know how atomic energy is progressing in some other country, and what plants there may be.

I hate to discuss these matters on the floor, but there is no other way I can make the Senate have confidence in the bill than by discussing these things which I would rather not mention.

Mr. WHERRY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HENRIKSON in the chair). Does the Senator from Maryland yield to the Senator from Nebraska?

Mr. WHERRY. Do I have the floor, or does the Senator from Maryland have the floor? I would much rather the Senator from Maryland had it, so I could ask him some questions. I ask unanimous consent that I may ask a question or two regarding section 7 of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. I shall be glad to answer the Senator's questions.

Mr. WHERRY. The section reads as follows:

Sec. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the act of August 28, 1935—

Here is the point—

and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212, of the act of June 30, 1935.

Are we doing this now?

Mr. TYDINGS. Yes.

Mr. WHERRY. Then why is it necessary to have the legislation?

Mr. TYDINGS. I think it is a question whether or not the law is being winked at unless this bill is written into law. It is written now to effect a cure. It is a question as to whether we have the authority to act. In my opinion we have not the authority, but nobody is going to raise the question.

Mr. WHERRY. But we are actually doing what is provided for in the bill?

Mr. TYDINGS. Much of it.

Mr. WHERRY. Are we going to expand what we are now doing if we get additional authority?

Mr. TYDINGS. No.

Mr. WHERRY. The intention really is to implement what we intended to do under the skeleton act?

Mr. TYDINGS. The Senator has stated it exactly; the skeleton act was

Armed Services Committee has submitted to the Senate appears a comment on section 7, to be found on page 4, as follows:

Section 7 exempts the Agency from the provisions of 5 United States Code 654, which require publication of personnel data in the Official Register of the United States. Section 7 also exempts the Bureau of the Budget from including in its public report to the Congress the Agency's personnel strength.

Does the section do any more than that?

Mr. TYDINGS. No.

Mr. WHERRY. That is all that is done, if we adopt this section?

Mr. TYDINGS. I am going to say something which the Senator already knows, but for the record. Ours will perhaps be the only Government having a law providing for such an activity. Other governments simply appropriate a disguised sum of money, without any authority of law, to handle the whole matter through some government official. We are writing the whole law out. I regret we cannot proceed in any other way. If the Senate knew about the details, it might be willing to do as other countries do, but we do not do business that way. We are not doing what other countries do. We are throwing every possible democratic safeguard around it as we go along.

Mr. WHERRY. I want to be sure that the assertions made in the committee report state what we are doing when we adopt section 7, and that it is to exempt the agency from the provisions of law I have just mentioned.

Mr. TYDINGS. For national security only.

Mr. WHERRY. That is correct.

Mr. TYDINGS. I thank the Senator from Nebraska for his contribution.

Mr. WHERRY. I was a member of the Committee on Appropriations, with the distinguished Senator from Maryland, when we were asked for a huge appropriation for a purpose with which we were not familiar.

Mr. TYDINGS. A billion dollars.

Mr. WHERRY. Yes. It took much faith on my part, as one charged with a part of the responsibility of making appropriations, to agree to that. A billion dollars is a great deal of money. Yet we were told that it was in the interest of national security, and we asked no questions. Afterward, of course, we discovered that it was for the purpose of developing the atomic bomb.

Mr. TYDINGS. This is in the same category.

Mr. WHERRY. We are now extending the authority, and I wanted to have it made indubitably certain that section 7, which to me is the meat of the bill, is included for the purposes outlined in the committee report, and does not extend beyond that.

Mr. TYDINGS. In measured words, I can answer the Senator in the affirmative.

The PRESIDING OFFICER. The bill is still open to amendment. If there be no further amendment to be offered,

6956

## CONGRESSIONAL RECORD—SENATE

MAY 27

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2653) was read the third time and passed.

## RECIPROCAL TRADE AGREEMENT POLICY

Mr. MALONE. Mr. President, when the 1934 Trade Agreements Act comes before the Senate for the proposed 3-year extension, I intend to offer the flexible import-fee bill, which I am today placing before this body as a substitute policy. I ask unanimous consent to introduce the flexible import-fee bill, and to have it printed in the body of the Record. The flexible import-fee principle establishes a clear-cut American policy which would provide a definite basis for cooperation among the nations of the world and a definite market for foreign goods in this country.

## THE THREE-PART "FREE TRADE" PROGRAM

As a result of the administration's three-part "free trade" program, under which we are openly encouraging a large increase in imports from the European countries and urging them to become self-sufficient within and among themselves and to manipulate the price of their currency for trade advantage—many believe that this Nation is heading into a serious depression.

## FREE TRADE AND UNEMPLOYMENT

It is reported that there are more than 4,000,000 unemployed at this time and probably in excess of 10,000,000 partially unemployed in this country due principally to actual and threatened imports of products from the low-wage standard of living European and Asiatic nations.

## DEFINITE MARKET FOR FOREIGN GOODS

Under the proposal of the flexible import fee adjustment of rates, a definite market basis is established in the United States for the goods of all foreign nations, but they are the judges of their own living standards. However, under such a provision they would be encouraged to raise their wage living standards because they would immediately get credit by a corresponding reduction in the tariff or import fee, and when their standards of living approximated our own, then the objective of free trade would be an almost automatic and immediate result. But in the meantime, our wage standard of living would be protected.

## FLEXIBLE IMPORT FEE VERSUS "FREE TRADE"

This principle is in direct contrast to the free trade program of the State Department, and all subterfuge, including a manipulation of their currency values and selling under actual costs by such foreign governments to crowd another nation's products out of the foreign markets, including our own—as evidenced by a New York Times dispatch dated May 21 of this year—will be automatically stopped by the adoption of the flexible import fee principle.

Mr. President, I ask unanimous consent to have the dispatch printed in the body of the Record at this point.

The PRESIDING OFFICER. Is there

There being no objection, the matter was ordered to be printed in the Record, as follows:

TRADE LAG STUDIED FROM ECA NATIONS—GOVERNMENT SEEMS TO LEARN WHY FLOW FROM SUCH AREAS IS NOT UP TO EXPECTATIONS—TEN BILLION SPEN POSSIBLE—WOULD MEAN THREE BILLION RISE OVER 1948, REDUCE TRADE GAP AND EASE DOLLAR SHORTAGE

Surveys under Government auspices are being quietly made in trade quarters here to ascertain why the volume of imports from European countries aided by the Economic Cooperation Administration is not larger, it was learned here yesterday.

During the past week, field surveys have been made here by a team of keymen, in which the views and experiences of active importers were sought in a wide variety of lines.

Nothing was divulged as to the information or conclusions reached during the course of the surveys, other than that the data would be of assistance in coordinating the work of official agencies.

## SCOPE OF FIELD WORK

The scope of the field work was indicated in scheduled contacts with importers of woollens, linens, leas, rayon and staple fiber, cottons, floor coverings, embroidery, metal products, needles, automobiles, leather goods, chinaware, department store goods, motorcycles, ball bearings, machinery, silverware, and foodstuffs. In all, some 40 different import lines from varied countries were canvassed, it is understood.

While no official statement is likely until the reports based on the surveys are made, if then, it is an open secret that Government agencies are anxious to spur imports by the United States as a major means of strengthening world economic recovery and curbing the dollar shortage and trade deficits abroad.

Import barriers ranging from antiquated customs procedure to excessively high prices abroad in the face of a declining price trend here have been cited as the major obstacles to the larger import volume that is felt necessary to reduce the export "gap," which exceeded \$5,000,000,000 last year.

Foreign trade experts have calculated that if business conditions and national income continue favorable here, the United States could absorb \$10,000,000,000 in imports from all parts of the world. This optimum figure, buttressed by American investment and tourist spending abroad, it is believed, would support and pay for a high level of American exports.

It compares with about \$7,000,000,000 in imports for 1943.

## FIRST QUARTER IMPORTS

For the first quarter of 1949, imports were close to the 1943 level for the same period. Doubt appeared to be rising, however, that total imports in 1949 will materially exceed 1948 figures, with much depending on business conditions here.

High prices abroad have been stressed as probably the major factor tending to limit European imports. In the case of British goods, this was highlighted a few days ago by Sir Stafford Cripps, Britain's economic chief, who told a conference of editors in London that prices on export goods must be cut. Emphasizing again his position that no devaluation of sterling is contemplated, Sir Stafford noted consumer resistance on the part of American buyers who were hoping to get British goods at lower prices.

Prior to recent developments, Great Britain had set a goal of \$720,000,000 in exports to the United States and Canada for 1949. Sir Graham Cunningham has been named to head the drive, becoming head of a new department representing British industrial interests which will work closely with the Gov-

## 1934 TRADE AGREEMENTS ACT

Mr. MALONE. Mr. President, it will be remembered that the Eightieth Congress extended the 1934 Trade Agreements Act for 1 year, timing it to come up at the same time as the second-year extension of the ECA or Marshall-plan appropriation and the proposed adoption of the International Trade Organization.

## PERIL POINT

We added the provision to the Trade Agreements Act that the Tariff Commission must furnish the President what we called the peril point—that is, the tariff rate or import fee below which the production of the specific product under consideration would be endangered in this country—and where the floor under wages would be ineffective and would cause unemployment or a definite lowering of our standard of living.

## PERIL POINT INEFFECTIVE

I am for the inclusion of the peril point—the danger point to employment and business as determined by the Tariff Commission in each case—at the same time feeling that it will have no practical effect except an opportunity for the President to emphasize his explanation to the Congress and to the public that naturally some sacrifices are necessary if we are to build a great foreign trade structure—the peril-point provision simply requires the President to advise Congress his reasons for disregarding the Tariff Commission's findings—there is nothing of a mandatory nature included in the provision.

## UNDER FLEXIBLE IMPORT FEE PERIL POINT BECOMES THE TARIFF

Under the proposed flexible import fee bill provisions, the peril point, as determined by the Tariff Commission as the danger point to employment and industry, would become the tariff or import fee.

## FLEXIBLE IMPORT FEE POLICY NOT NEW

The flexible import fee policy is not new—the Sixty-seventh Congress in 1902 passed such an act which has been carried forward as section 326 of the present Tariff Act. Under the act, however, the President must initiate such changes, and rather than follow such procedure he has elected to proceed under the State Department's free-trade theory based upon the 1934 Trade Agreements Act.

My bill simply transfers the necessary action from the President to the Tariff Commission and simplifies the method of determining the peril point which would then become the tariff or import fee.

## "RECIPROCAL TRADE"—A CATCHWORD FOR FREE TRADE

There is no such thing as the Reciprocal Trade Act—which the 1934 Trade Agreements Act is commonly called—the words "reciprocal trade" do not occur in the 1934 Trade Agreements Act—it is not reciprocal and that is not the effect produced by the selective free-trade policy which the State Department, under the guise of the act, has pursued based on the act. The Department's theory is that the more we divide our markets with the nations of the world the less their price-



There has been established a special commission of the United Nations, known as the United Nations Relief for Palestine Refugees. This United Nations organization has set as an objective a fund of some \$32,000,000, of which the United States was to be asked for \$16,000,000. I think it should be noted that approximately \$13,000,000 of the \$16,000,000 which other countries are committed to has already been subscribed, or is in the process of being subscribed. I realize that \$14,000,000 is a very generous contribution on the part of our Government, but those who have testified in reference to the tragic situation in the Near East and the large number of displaced persons in that area, tell us that the over-all budget of \$32,000,000, which was established by the United Nations

1949

## CONGRESSIONAL RECORD—HOUSE

7165

## HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 2, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O immortal Son of God, who came to this earth, revealing the love of the Father's heart, give us eyes to see the light and hearts to love the truth. In this turbulent world, amid the hard questions and trembling distrust of many of our people, and for those who are in the twilight of vision and fail to see, for them we humbly pray. Deliver us from prejudices, from ignorant misunderstandings, and failure to bear valiantly our responsibilities as citizens. O increase our fidelity and gratitude toward our country, which is seeking to bring release to peoples in bondage. Assure us that no dire calamity, no hopeless grief or needless breath of ill can defeat the soul that rests in Thee. In the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4583. An act relating to telephone and telegraph service and clerk hire for Members of the House of Representatives.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1008. An act to define the application of the Federal Trade Commission Act and the Clayton Act to certain pricing practices.

## CENTRAL INTELLIGENCE AGENCY

Mr. SASSER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2553) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 7, strike out lines 3 to 7, inclusive, and insert:

"(B) While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave."

Page 12, line 17, strike out "Director and" and insert "Director."

Page 12, line 13, after "General," insert "and the Commissioner of Immigration."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. MARTIN of Massachusetts. Mr. Speaker, I am in favor of the bill.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 249), to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. LUCAS. Mr. President, as everyone knows, this is the bill commonly known as the bill to repeal the Taft-Hartley law. There will be no consideration given to it this afternoon. As I stated yesterday, the Senate will take a recess until Monday next.

Mr. WHERRY. Is it contemplated that House bill 4016, the bill making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, will be considered, probably, on Monday?

Mr. LUCAS. I cannot advise the Senator definitely, but obviously as we move along with the labor bill, consideration of which will probably require a couple of weeks, we may have to sandwich in between the appropriation bill and some other bills.

Mr. WHERRY. I make that inquiry, because some Senators are anxious to know what is proposed to be done with respect to the appropriation bill.

Mr. LUCAS. I cannot say definitely. It is possible that we might take up the appropriation bill on Monday afternoon, but I do not think very many Senators will be away from the Senate Chamber or at least they will not be very far away from the Senate Chamber when the labor bill is being debated.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. WHERRY. A motion has been agreed to to take up the proposed repeal of the Taft-Hartley Act. Does that supplant the unfinished business?

Mr. LUCAS. There was no unfinished business.

Mr. WHERRY. I thought the unfinished business was the reciprocal trade agreements bill.

Mr. LUCAS. No. That was displaced some days ago when a motion was made and agreed to consider another bill.

Mr. WHERRY. The labor bill is, then, the unfinished business?

Mr. LUCAS. The Senator is correct.

Mr. THYE. Mr. President, may I inquire whether the Senate has received the conference report on the Commodity Credit Corporation bill?

Mr. LUCAS. It has been received and agreed to.

Mr. THYE. I was called to the telephone. I know that the Senate was awaiting receipt of the conference committee report. I have just returned to the Chamber. Before the Senate takes a recess I wish to make inquiry about what has happened.

Mr. LUCAS. That demonstrates how expeditiously the Senate can transact business sometimes.

Mr. THYE. I appreciate that. I am sure that I speak for all the agricultural interests in the Nation when I say that they are very happy that the Commodity Credit Corporation bill has been received and agreed to.

Mr. WHERRY. Mr. President, I am sure the distinguished majority leader does not mean to convey the idea that we can transact business faster when the Senator from Minnesota is absent from the Chamber than we can when he is present. [Laughter.]

Mr. THYE. I am certain that the Senator from Illinois did not intend any such meaning by his statement.

Mr. LUCAS. The distinguished Senator from Minnesota is one of the most cooperative men I know. I have served with him for a number of years on the Committee on Agriculture and Forestry, and I always appreciate his counsel and advice.

Mr. THYE. I am very grateful to the Senator from Illinois for those remarks.

## POSTMASTER

Mr. LUCAS. Mr. President, as in executive session, I ask unanimous consent for the present consideration of the nomination of a postmaster on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered. The nomination will be stated.

The legislative clerk read the nomination of Harry F. Schiewetz to be postmaster at Dayton, Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed and, without objection, the President will be notified.

## RECESS TO MONDAY

Mr. LUCAS. I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until Monday, June 6, 1949, at 12 o'clock meridian.

## CONFIRMATIONS

Executive nominations confirmed by the Senate June 2, 1949:

## UNITED STATES DISTRICT JUDGE

Abraham Benjamin Conger to be United States district judge for the middle district of Georgia.

## IN THE NAVY

## TEMPORARY APPOINTMENTS

The nominations of Cecil C. Abbott, Jr., and other officers of the Navy for temporary appointment to the grade of lieutenant commander, subject to qualification thereafter as provided by law, which were confirmed today, were received by the Senate on May 20, 1949, and appear in full in the Senate proceedings for that date under the caption "Nominations," beginning with the name of Cecil C. Abbott, Jr., which appears on page 6541, and ending with the name of Herman R. Norwood, which is shown on page 6545.

## PERMANENT APPOINTMENTS

The nominations of Paul B. Nibecker and other officers for permanent appointment in the Navy, which were confirmed today, were received by the Senate on May 23, 1949, and which appear in full in the Senate proceedings of the Congressional Record for that date under the caption "Nominations," beginning with the name of Paul B. Nibecker, which is shown on page 6639, and ending with the name of William J. Moran, which appears on page 6641.

## POSTMASTER

7166

## CONGRESSIONAL RECORD—HOUSE

JUNE 2

brought this to the attention of the ranking minority member of the committee?

Mr. SASSCER. In reply to the gentleman from Massachusetts I wish to state that the matter has been checked with the minority members of the committee. I have cleared it with the majority leader on this side and with the minority leader as well, as the gentleman will recall, on yesterday.

Mr. MARTIN of Massachusetts. The minority Members are agreeable to this change?

Mr. SASSCER. Yes.

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, I opposed this legislation when it was before the House. I consider it most dangerous and subversive of our Constitution. It places manacles around the liberties of Americans. It is Fascist in character. I cannot permit it to be sent to the President with my consent. Therefore, I am constrained to object.

The SPEAKER. Objection is heard.

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2663, being an act to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. SASSCER]? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DURHAM, SASSCER, HAVENNER, ARENS, and ELSTON.

## OVERTIME-COMPENSATION PROVISIONS OF THE FAIR LABOR STANDARDS ACT

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 858, being an act to clarify the overtime-compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in the longshore, stevedoring, building, and construction industries, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out all after "employee" down to and including "industries" in line 9.

Page 2, after line 17, insert:

"Sec. 2. No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended (in any action or proceeding commenced prior to or on or after the date of the enactment of this act), on account of the failure of said employer to pay an employee compensation for any period of overtime work performed prior to the date of enactment of this act, if the compensation paid prior to such date for such work was at least equal to the compensation which would have been payable for such work had the amendment made by section 1 of this act been in effect at the time of such payment."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

bill was originally before the House I opposed it. We were then told there would be no retroactive features brought into the bill. The Senate amendment makes the bill retroactive. I object, Mr. Speaker; I shall also object to sending the bill to conference. I think the House should have an opportunity to debate this bill again, particularly in view of the fact that when we considered it originally the retroactive feature was not before the House and not considered by the House. I submit that the retroactive provision should be considered and fully debated by the House. I therefore object, Mr. Speaker.

## FLAG DAY

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 170, designating June 14 of each year as Flag Day.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this legislation?

Mr. WALTER. The resolution simply calls on the President to issue a proclamation requiring the display of the flag on all Government buildings on Flag Day.

Mr. MARTIN of Massachusetts. Does he not do that now?

Mr. WALTER. No, sir; not on June 14.

Mr. MARTIN of Massachusetts. Is this done by the various States?

Mr. WALTER. It is done by the various States.

Mr. MARTIN of Massachusetts. And this is to make it national?

Mr. WALTER. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the 14th day of June of each year is hereby designated as "Flag Day," and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and urging the people to observe the day as the anniversary of the adoption on June 14, 1777, by the Continental Congress of the Stars and Stripes as the official flag of the United States of America.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## EXTENSION OF REMARKS

Mr. LANE asked and was granted permission to extend his remarks in the Record in two instances; in the first to include a resolution and in the second a radio speech.

Mr. MULTER asked and was granted permission to extend his remarks in the Record in four instances and to include extraneous matter.

## PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. Multer addressed the House. His remarks appear in the Appendix.]

## EXTENSION OF REMARKS

Mr. FRAZIER asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial appearing in the Daily Post-Athenian of Athens, Tenn., under date of May 25, 1949.

Mr. LANHAM asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial from the Atlanta Journal.

Mr. BIBICOFF asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in each to include extraneous matter.

Mr. BIEMLER asked and was given permission to extend his remarks in the Appendix of the Record and include two resolutions by the Wisconsin Committee on the Hoover Commission Report.

Mr. CHESNEY asked and was given permission to extend his remarks in the Record and include an article from the Chicago Daily News.

Mr. ASPINALL asked and was given permission to extend his remarks in the Appendix of the Record and include an article written by a high-school student entitled "Conserving Our Soil."

Mr. ELLIOTT asked and was given permission to extend his remarks in the Appendix of the Record and include a statement.

Mr. WOOD asked and was given permission to extend his remarks in the Appendix of the Record and include a letter from the regional officer of the Kanto military government region headquarters of Japan.

Mr. TAURIELLO asked and was given permission to extend his remarks in the Record and include two editorials from the Buffalo Evening News by Thomas Stokes.

Mr. HAYS of Arkansas asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in one to include extraneous matter.

Mr. MCKINNON asked and was given permission to extend his remarks in the Record and include an article from a newspaper.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the Record and include an article by Leon Keyserling, a member of the President's Council of Economic Advisers, notwithstanding the fact that it exceeds the limit fixed by the Joint Committee on Printing and is estimated by the Public Printer to cost \$187.50.

## REPEAL OF CERTAIN EXCISE TAXES

Mrs. DOUGLAS. - Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

1949

## CONGRESSIONAL RECORD—SENATE

1119

Federal Works Administrator and the head of such corporation: *Provided, however, That in the event the Federal Works Administrator and the head of such corporation shall fail to agree, the fair market value of such property shall be determined by the Secretary of the Treasury;* and agree to the same.

DENNIS CHAVEZ,  
SPESSARD L. HOLLAND,  
HARRY P. CAIN,  
EDWARD MARTIN,

*Managers on the Part of the Senate.*

WILL M. WHITTINGTON,  
CHARLES A. BUCKLEY,  
HENRY D. LARCADE, JR.,  
GEO. A. DONDERO,  
HOMER D. ANGELL,

*Managers on the Part of the House.*

The PRESIDING OFFICER (Mr. HILL in the chair). Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. TAFT. Mr. President, I notice that the report is signed by two Republicans and two Democrats, conferees on the part of the Senate. Was the report unanimous, so far as the Senate conferees were concerned?

Mr. CHAVEZ. It was a unanimous report. One of the conferees—the Senator from Kentucky [Mr. CHAPMAN]—happened to be out of the city when we had the conference. That is why he did not sign the report.

Mr. TAFT. There was no objection, otherwise?

Mr. CHAVEZ. There was no objection.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

CENTRAL INTELLIGENCE AGENCY—  
CONFERENCE REPORT

During the delivery of the speech of Mr. THOMAS of Utah,

Mr. TYDINGS. Mr. President, will the Senator yield for consideration of a conference report, which will not require very much time?

Mr. THOMAS of Utah. I yield, if by so doing I am not taken off the floor.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the Senator from Utah may yield, without losing the floor thereby, for consideration of a conference report in which the Senate viewpoint has been adopted by the House. The conference report is on the Central Intelligence Agency bill, House bill 2553, which passed the Senate 3 or 4 days ago.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, do I correctly understand the Senator from Maryland to state that the Senate viewpoint was acceded to by the House?

Mr. TYDINGS. The House acceded to the Senate amendment.

Mr. President, I submit the conference report on the Central Intelligence Agency bill, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

amendments of the Senate to the bill (H. R. 2553) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3; and agree to the same.

M. E. TYDINGS,  
RICHARD B. RUSSELL,  
HARRY P. BYRD,  
STYLES BRIDGES,  
CHAN GURNEY,

*Managers on the Part of the Senate.*

CARL T. DURHAM,  
LANSDALE G. SASSER,  
FRANK R. HAVENNER,  
L. C. ARENDS,  
CHARLES H. ELSTON,

*Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. WHERRY. Mr. President, I ask the Senator from Maryland to make a brief statement respecting the report.

Mr. TYDINGS. Mr. President, the Senate will recall that at the instance of the Senator from North Dakota [Mr. LANGER], two small amendments of interpretation were placed in the bill. One was for the purpose of providing a wider check on immigration; the other confined the activities of the organization to external matters. The House adopted both amendments, which the Central Intelligence Agency was happy to approve, because the purposes sought by the amendments had originally been intended to be included.

Mr. WHERRY. That is all that is involved?

Mr. TYDINGS. Yes.

Mr. WHERRY. The Senate's viewpoint was adopted by the House?

Mr. TYDINGS. That is correct.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. TYDINGS. Mr. President, I ask unanimous consent that this matter may appear in the Record at the conclusion of the address now being delivered by the Senator from Utah.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSE BILL AND JOINT RESOLUTION  
REFERRED

The following bill and joint resolution were each read twice by their titles, and referred to the Committee on the Judiciary:

H. R. 4367. An act to amend the Displaced Persons Act of 1948; and  
H. J. Res. 170. Joint resolution designating June 14 of each year as Flag Day.

NATIONAL LABOR RELATIONS ACT  
OF 1949

The Senate resumed the consideration of the bill (S. 249) to diminish the causes of labor disputes burdening or obstructing

Mr. THOMAS of Utah. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Alben	Hendrickson	Maybank
Anderson	Hill	McCarthy
Baldwin	Humphrey	O'Mahoney
Butler	Ives	Popper
Chapman	Jenner	Russell
Chavez	Johnson, Tex.	Schepel
Donnell	Johnston, S. C.	Sparkman
Douglas	Kerr	Taft
Downey	McCarran	Thomas, Utah
Ferguson	McClellan	Tye
Flanders	McFadden	Tydings
Frear	McGrath	Wiley
Fulbright	McKellar	
Green	Martin	

The PRESIDENT pro tempore. A quorum is not present. The clerk will call the names of the absent Senators.

The names of the absent Senators were called, and Mr. ROBERTSON, Mr. KEFAUVER, Mr. LUCAS, Mr. WILLIAMS, and Mr. WITHERS answered to their names when called.

The PRESIDENT pro tempore. A quorum is not present.

Mr. LUCAS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. NEELY, Mr. MCCARTHY, Mr. ECKON, and Mr. KILGORE entered the Chamber and answered to their names.

Mr. BRICKER, Mr. ELLENDER, Mr. HAYDEN, Mr. HOBY, Mr. TAYLOR, and Mr. THOMAS of Oklahoma, also entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment to Senate bill 249. The amendment is offered in behalf of myself, the Senator from Vermont [Mr. ARKEN], the Senator from Alabama [Mr. HILL], the Senator from Kentucky [Mr. WITHERS], the Senator from New Hampshire [Mr. TOSBY], the Senator from Maine [Mr. SMITH], the Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], and the Senator from Illinois [Mr. DOUGLAS].

The PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

Mr. MCCARRAN. Mr. President, I respectfully refer to the unanimous-consent agreement which was had this morning to the effect that on the conclusion of the speech by the Senator from Utah [Mr. THOMAS] in connection with the pending bill, the unfinished business would be laid aside and we would have an opportunity to present the appropriation bill for the Departments of State, Justice, Commerce, and the Judiciary, which is now pending on the calendar. At this hour it is entirely too late to go forward with that unanimous-consent agreement. I have had a short conference with the



7263

## CONGRESSIONAL RECORD—HOUSE

JUNE 7

By unanimous consent, the proceedings whereby the bill (H. R. 1975) was passed were vacated, and the bill was laid on the table.

TEIKO HORIKAWA AND YOSHIKO HORIKAWA

The Clerk called the bill (H. R. 2084) for the relief of Teiko Horikawa and Yoshiko Horikawa.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding any provision of law to the contrary, the aliens Teiko Horikawa and Yoshiko Horikawa, minor twin stepdaughters of David Bailey Carpenter, a World War II veteran who married Yoshi Horikawa Higo (now Mrs. Yoshi Horikawa Carpenter), a Japanese national and the mother of such minor stepdaughters, on August 6, 1947, shall be admitted to the United States for permanent residence.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of the Immigration and Naturalization laws the provisions of section 13 (c) of the Immigration Act of 1924, as amended, which exclude from admission to the United States persons who are ineligible to citizenship, shall not apply to Teiko and Yoshiko Horikawa, minor twin stepdaughters of David Bailey Carpenter, a World War II veteran who married Yoshi Horikawa Higo, a Japanese national and the mother of such minor stepdaughters, on August 6, 1947, and that if otherwise admissible under the immigration laws they shall be granted admission into the United States for permanent residence upon application hereafter filed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SADAE AOKI

The Clerk called the bill (H. R. 2709) for the relief of Sadae Aoki.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, or any of the other provisions of the immigration laws relating to the exclusion of aliens ineligible to citizenship, the Attorney General is authorized and directed to permit the entry into the United States for permanent residence of Sadae Aoki, the Japanese fiancée of A. George Kato, a citizen of the United States and an honorably discharged veteran of World War II: *Provided,* That the administrative authorities find that the said Sadae Aoki is coming to the United States with a bona fide intention of being married to A. George Kato and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above named parties does not occur within 3 months after the entry of said Sadae Aoki, she shall be required to depart from the United States and upon failure to do so shall be deported at any time after entry in accordance with the provisions of sections 19 and 20 of the Immigration Act of February 5, 1917 (U. S. C., title 8, secs. 155 and 156).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LANDS TO SISTERS OF ST. JOSEPH IN ARIZONA

The Clerk called the bill (H. R. 3982) to authorize the Secretary of Agriculture to sell certain lands to the Sisters of St. Joseph in Arizona, Inc., Tucson, Ariz., to consolidate the Desert Laboratory Experimental Area of the Southwestern Forest and Range Experiment Station, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of Agriculture is hereby authorized, in his discretion, to sell and convey, in whole or from time to time in separate parcels, by quitclaim deed or deeds, to the Sisters of St. Joseph in Arizona, of the city of Tucson, State of Arizona, an Arizona corporation, for cash, at a price or prices not less than the appraised value thereof as determined by him, the following-described lands situated in the county of Pima, State of Arizona, to wit: That portion of tract 37, section 10, township 14 south, range 13 east, Gila and Salt River meridian, Arizona, as shown on the official public survey plat approved August 5, 1944, lying north of a line extending westerly from corner numbered 7 of the official survey to the west line of said tract at a point twelve and forty one-hundredths chains south of official corner numbered 2, containing fifteen and eighty-six one-hundredths acres, more or less, subject, however, to a reservation to the United States of all uranium, thorium, and all other materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 755, 761), to be peculiarly essential to the production of fissionable material, as provided in Executive Order No. 9503 (12 P. R. 8223). Subject, also to a right-of-way 40 feet in width outstanding in Pima County for the Silver Bell Road as now located and defined, and to the reservations contained in the United States patent to said lands. The proceeds of such sale or sales shall be available to the Secretary of Agriculture for the purchase of any lands described in the second section of this act which are not owned by the United States and the construction of improvements for the Desert Laboratory of the Southwestern Forest and Range Experiment Station in replacement of the lands and facilities disposed of hereunder.

Sec. 2. That, subject to any valid existing claim or entry, all lands of the United States situated within the area hereafter described are hereby added to and made parts of the Coronado National Forest, State of Arizona, and all lands in the described area hereinafter under the first and third sections of this act shall thereupon become parts of the said national forest and shall be subject to the laws and regulations relating to the national forests, but shall be reserved from entry and location under the public lands and mining laws of the United States as an experimental area for watershed management and range research:

South half southeast quarter section 9; that portion of tract 37, section 10, township 14 south, range 13 east, Gila and Salt River meridian, Arizona, as established by the General Land Office, Department of the Interior, as approved by the Acting Assistant Commissioner on August 5, 1944, lying south of a line extending westerly from corner numbered 7 of the official survey to the west line of said tract at a point twelve and forty one-hundredths chains south of official corner numbered 2, containing nine and sixty one-hundredths acres, more or less; four acres, more or less, out of the south half southeast quarter northwest quarter southeast quarter, south half southwest quarter, southwest quarter southeast quarter, section 10, west half northwest quarter

northeast quarter, west half section 10 and east half section 16, all in township 14 south range 13 east, Gila and Salt River meridian.

Sec. 3. That the provisions of the act approved March 20, 1923 (42 Stat. 465, 11 U. S. C. 485), as amended, are hereby extended and made applicable to all lands within the area described in the second section of this act which are not owned by the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. DAVIS of Wisconsin. At the request of Mr. SMITH of Wisconsin, I was given permission to extend his remark in the Record.

ADMINISTRATION OF THE CENTRAL INTELLIGENCE AGENCY

Mr. SASSER. Mr. Speaker, I call up the conference report on the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, and ask unanimous consent that the statement of the managers of the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 725)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

CARL T. DUNHAM,  
LEONARD C. SASSER,  
FRANK R. HANSEN,  
L. C. ARNDT,  
CHAS. H. ELSON.

Managers on the Part of the House.

M. R. TYDINGS,  
RICHARD B. RUSSELL,  
HARRY F. BYRD,  
STYMES BARNES,  
CHAS. GURLEY.

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees as recommended in the accompanying conference report:

Amendment No. 1. The House bill provided that officers and employees of the Central Intelligence Agency should be appointed

1949

## CONGRESSIONAL RECORD—HOUSE

7309

tal United States on leave should be available for work or duties in the agency or elsewhere. The Senate amendment provided that officers or employees of the Agency who are in the continental United States on leave should be available for work or duties only in the Agency or for training or for reorientation for work. The conference agreement adopts the provisions of the Senate amendment.

Amendments Nos. 2 and 3: The House bill provided that whenever the Director of the Central Intelligence Agency and the Attorney General should determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family could be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations and without regard to their failure to comply with such laws and regulations pertaining to admissibility. The House bill limited the number of aliens admissible under such authority to not more than 100 in any one fiscal year. The effect of Senate amendments Nos. 2 and 3 was to add the Commissioner of Immigration to the officials who would determine what aliens should be admitted under this authority. The conference agreement adopts the Senate amendments.

CARL T. DURIAM,  
LANDSDALE G. SASSCER,  
FRANCK R. HAVENNER,  
L. C. ARENDSE,  
CHAS. H. ELSTON.

*Managers on the Part of the House.*

Mr. SASSCER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, this bill originally came before the House under the suspension of the rules procedure. At that time I pointed out in my opposition to the bill that in the report accompanying the bill, there was a statement to the effect that not all of the provisions of this bill would be explained to the Members of Congress. We were presented with a most extraordinary situation. The House voted to pass this hush-hush bill, despite the fact that all of its provisions had not been explained and would not be explained to the membership. I stated then that this bill was subversive of our Bill of Rights. The Senate amendments have not cured that. The situation with respect to elementary democracy, as it is endangered by this bill, remains the same. I opposed the bill then, and I have opposed this bill at every step, and I oppose it now in its final stage.

In the last analysis, Mr. Speaker, the security of this Nation rests on the strength of its democratic institutions. This bill undermines those democratic institutions. It substitutes for our constitutional guarantees a Gestapo system. It is being sold to the country by hysteria, and it is being imposed on the people as preparation for a war which the American people do not want. Mr. Speaker, I shall vote against the adoption of the conference report.

Mr. SASSCER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, in a colloquy which took place in the other body several days ago a Senator inquired of another Senator as to the reason why the Attorney General's recommendation pertaining to suspension of deportation was not being acted on in the House. The reply was that the House was not going along with the policy of the Senate. The fact of the matter is that under existing law where the Attorney General suspends the deportation of an alien under section 19 (c) of the Immigration Act of 1917, as amended, it is incumbent on each body to review the action thus taken, and unless each body affirmatively approves of such suspension of deportation, then the deportation is proceeded with. At the last session of the Congress our distinguished colleague, the gentleman from Maine [Mr. FELLOWS] introduced legislation which had the purpose of giving each body the authority to review the action taken by the Attorney General, but did not make it incumbent on the House as well as the Senate to act affirmatively. The House of Representatives at this session passed practically the same bill. In an informal conference attended by the ranking members of both sides of the Committee on the Judiciary, it was agreed that either body would have the authority to object to the Attorney General's ruling but that neither body would be obliged to act affirmatively. The Senate is adamant in its position, but my bill, H. R. 3275, similar to the Fellows bill of last year, is now pending in the Senate Committee on the Judiciary. Recently I suggested a compromise amendment to this bill and I sincerely hope that the other body will bring about its early passage, thus helping to break the log-jam. We want to retain the power to object to the Attorney General's rulings, but the House does not want to be obligated to act affirmatively on nearly 2,000 cases per session. Certainly it seems to me that Members of Congress, both of the House and Senate, should know what the real situation is.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. VORYS. This may not be on the same subject, but I wanted to know whether there is a practice now to stay deportations in cases where bills are introduced. I understand there was a practice for many years, but that practice is no longer followed by the immigration authorities.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SASSCER. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. WALTER. The Committee on the Judiciary 2 years ago, when our distinguished colleague the gentleman from Michigan [Mr. MICHENER] was chairman of the committee, reviewed the practice of staying deportations where a bill was introduced, and it was decided

that unless the Member who introduced the bill requested a hearing, and we so notified the Immigration Service, the proceedings would continue. It was only in those cases where it was apparent that the Member intended to vigorously press for the enactment of the private legislation that deportation would be stayed. However, that is not the practice in the other body. There it is necessary only to introduce a bill in order to stay deportation. Incidentally, there have been a number of cases where the House has refused to intercede, and even after bills have been introduced and unfavorably acted upon by our committee, a Senator has introduced a bill, and the deportation of some alien who, in the judgment of the House Judiciary Committee ought to be deported, has been stayed.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. McCORMACK. Of course, when you introduce these bills, it takes quite a long time to have reports received from the appropriate agencies. That is correct, is it not?

Mr. WALTER. Yes.

Mr. McCORMACK. I do know that it has created a rather compromising situation for Members of the House who have introduced a bill to know that that of itself does not stay the deportation until an opportunity has been had to receive reports sought and hearings held.

Mr. WALTER. I do not think the gentleman is correct in that, because, if a bill is introduced and a request is made of the Judiciary Committee, then the committee notifies the Immigration and Naturalization Service, and all proceedings are stayed until action has been taken on the bill.

Mr. McCORMACK. I am glad to hear that, because that clarifies an honest misapprehension that existed in my mind and must have existed in the minds of other Members. We all have communications on this subject at some time or another, perhaps two or three times a year, and, frankly, I have written to friends of mine stating that while I would be glad to introduce a private bill and submit it to the committee, and I have asked them to give me the evidence in affidavit form to present to the subcommittee, that they had better get somebody on the other side to introduce a bill to get a stay of deportation. It has been rather embarrassing. From now on I will utilize the information the gentleman has given me, and relieve that embarrassment to which I have been subjected.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. SASSCER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the conference report as it comes before the House has two minor amendments which were offered by the Senate and adopted by the conferees. These amendments do not change the scope or substance of the bill. One provides that if any employee of the Central Intelligence Agency is on leave in the United States, he cannot be assigned to

7370

## CONGRESSIONAL RECORD—HOUSE

JUNE 7

duty outside the agency. It is not the intention of the agency to use these employees for duty within the United States other than within the agency. They are simply brought back here for training, and so on, as the functions are carried on in the continental United States.

The other amendment provides that in addition to the approval of the Attorney General on the admission of any of these aliens who may be brought in because of their high potential security value the alien must also be approved by the Commissioner of Immigration.

The bill was carefully considered in the committee, unanimously reported, and passed overwhelmingly in the House. It outlines and spells out the functions of the Central Intelligence Agency, and attempts to build up a career service.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. MARCANONIO) there were—ayes 74, noes 1.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### NURSERY SCHOOLS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3957) to continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children in the District of Columbia through June 30, 1950, with Senate amendment, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ABERNETHY, GRANGER, and MILLER of Nebraska.

#### TELEPHONE, TELEGRAPH SERVICE, AND CLERK HIRE FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 240) to take from the Speaker's table the bill (H. R. 4583) relating to telephone and telegraph service and clerk hire for Members of the House of Representatives (Rept. No. 735), which was referred to the House calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution the bill (H. R. 4583) relating to telephone and telegraph service and clerk hire for Members of the House of Representatives, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendments be, and the same are hereby agreed to.

#### INVESTIGATION OF THE B-36 BOMBERS

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 234) directing the Committee on the Armed Services to conduct thorough studies and investigations

of the B-36 bomber and for other purposes (Rept. No. 735), which was referred to the House calendar and ordered to be printed:

Resolved, That the Committee on Armed Services or any subcommittee thereof is authorized and directed to conduct thorough studies and investigations relating to matters involving the B-36 bomber, including, specifically, all facts relating to when this bomber was purchased, why it has been purchased, how it was purchased, any cancellations of other aircraft procurement that may have been resulted from such purchases, and any and all other collateral matters that such inquiries may develop, and for such purposes the said committee is authorized to sit and act during the Eighty-first Congress at such times and places, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpoena or otherwise the attendance and testimony of such witnesses and the production of such books, records, and documents, as it deems necessary. Subpoenas may be issued over the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The committee shall report to the House of Representatives during the present session of Congress the results of its studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

#### PROGRAM FOR JUNE 3

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, I ask for this time for the purpose of announcing that on the report just received from the Committee on Rules giving to the armed services certain powers of investigation, I shall call the rule up tomorrow. It will be the first order of business. I make this announcement so that the membership of the House will be aware of it.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MCCORMACK. I yield.

Mr. HOFFMAN of Michigan. What is the number of the bill? Is it H. R. 4583?

Mr. MCCORMACK. No.

Mr. VINSON. If the gentleman will yield, it is a resolution.

Mr. MCCORMACK. The other bill to which the gentleman from Michigan refers will come up later, but not tomorrow.

#### INTERNATIONAL CHILDREN'S EMERGENCY FUND

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2785) to provide for fur-

ther contributions to the International Children's Emergency Fund. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may desire to use and also 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. Speaker, this resolution calls for consideration of the bill (H. R. 2785) which will merely extend for a 5-year period legislation making funds available for children that have been left destitute by reason of the war.

There have been over 4,500,000 children taken care of through this fund. It was originally established by the United Nations Organization in 1946, and called the Children's Emergency Fund. The purpose of the fund is to aid these children in their formative years, and also mothers during pregnancy and nursing period.

I believe the greatest statement that was ever made on behalf of this legislation at the time it was considered was by former Secretary of State George C. Marshall. When he was addressing the United Nations General Assembly he stated:

Children whose bodies have been starved and warped are likely to develop, if they survive, into a generation of embittered adults. Our national interests, as well as our humanitarian instinct, demands that we do not permit this to happen. If we fail to do our part for the nourishment, and care and normal development today of the children with whom our children will have to live tomorrow, we shall have failed in statemanship as well as in humanity.

Mr. Speaker, this legislation is not to be considered as of permanent effect in any way but is merely to extend what has already been in the process of operation. This bill would merely extend the time until June 1950.

I may say further that the operation of this fund has been nonpolitical in every way. The committee has made an investigation on various reports as to the administration of the fund and we have been advised that the personnel operating the disposal of the fund to these children make their check from the distribution and supply depots and that the fund is disbursed equitably to the various sources that are in need of aid.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Illinois.

Mr. SABATH. This does not call for any additional appropriation. There is an unexpended balance out of last year's authorization and appropriation of about \$21,000,000. This would only authorize

THREE HUNDREDTH ANNIVERSARY OF  
ANNAPOLIS, MD.

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 22) to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

The SPEAKER. The Chair desires to state that he has consulted with the gentleman from Tennessee and understands the gentleman from Tennessee has cleared this matter with the majority Members on both sides.

Mr. MURRAY of Tennessee. That is correct.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

*Resolved, etc., That the Postmaster General is authorized and directed to prepare for issuance in May 1949 a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the three hundredth anniversary of Annapolis, Md.*

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ADMINISTRATION OF THE CENTRAL INTELLIGENCE AGENCY

Mr. SASSCER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, as amended.

The SPEAKER. The Clerk will report the bill as amended.

The Clerk read as follows:

*Be it enacted, etc.—*

#### DEFINITIONS

SECTION 1. That when used in this act, the term—

(a) "Agency" means the Central Intelligence Agency;

(b) "Director" means the Director of Central Intelligence;

(c) "Government agency" means any executive department, commission, council, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government; and

(d) "Continental United States" means the States and the District of Columbia.

#### SEAL OF OFFICE

SEC. 2. The Director of Central Intelligence shall cause a seal of office to be made for the Central Intelligence Agency, of such design as the President shall approve, and judicial notice shall be taken thereof.

#### PROCUREMENT AUTHORITIES

SEC. 3. (a) In the performance of its functions the Central Intelligence Agency is authorized to exercise the authorities contained in sections 2 (c) (1), (2), (3), (4), (5), (6), (10), (12), (15), (17), and sections 3, 4, 5, 6, and 10 of the Armed Services Procurement Act of 1947 (Public Law 413, 80th Cong. 2d sess.).

(b) In the exercise of the authorities granted in subsection (a) of this section, the term "Agency head" shall mean the Director, the Deputy Director, or the Executive

of the Agency.

(c) The determinations and decisions provided in subsection (a) of this section to be made by the Agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (d) of this section, the Agency head is authorized to delegate his powers provided in this section, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the Agency.

(d) The power of the Agency head to make the determinations or decisions specified in paragraphs (12) and (15) of section 2 (c) and section 5 (a) of the Armed Services Procurement Act of 1947 shall not be delegable. Each determination or decision required by paragraphs (12) and (15) of section 2 (c), by section 4, or by section 5 (a) of the Armed Services Procurement Act of 1947, shall be based upon written findings made by the official making such determinations, which findings shall be final and shall be available within the Agency for a period of at least 6 years following the date of the determination.

#### EDUCATION AND TRAINING

SEC. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

(b) The Agency shall, under such regulations as the Director may prescribe, pay the tuition and other expenses of officers and employees of the Agency assigned or detailed in accordance with provisions of subsection (a) of this section, in addition to the pay and allowances to which such officers and employees may be otherwise entitled.

#### TRAVEL, ALLOWANCES, AND RELATED EXPENSES

SEC. 5. (a) Under such regulations as the Director may prescribe, the Agency, with respect to its officers and employees assigned to permanent-duty stations outside the continental United States, its Territories, and possessions, shall—

(1) (A) pay the travel expenses of officers and employees of the Agency including expenses incurred while traveling pursuant to orders issued by the Director in accordance with the provisions of section 5 (a) (3) with regard to the granting of home leave;

(B) pay the travel expenses of members of the family of an officer or employee of the Agency when proceeding to or returning from his post of duty; accompanying him on authorized home leave; or otherwise traveling in accordance with authority granted pursuant to the terms of this or any other act;

(C) pay the cost of transporting the furniture and household and personal effects of an officer or employee of the Agency to his successive posts of duty and, on the termination of his services, to his residence at time of appointment or to a point not more distant, or, upon retirement, to the place where he will reside;

(D) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency who is absent under orders from his usual post of duty, or who is assigned to a post to which, because of emergency conditions, he cannot take or at which he is unable to use, his furniture and household and personal effects;

(E) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency on first arrival at a post for a period not in excess of 3 months after such first arrival at such quarters, whichever shall be shorter;

(F) pay the travel expenses and transportation costs incident to the removal of the members of the family of an officer or employee of the Agency and his furniture and household and personal effects, including automobiles, from a post at which, because of the prevalence of disturbed conditions, there is imminent danger to life and property, and the return of such persons, furniture, and effects to such post upon the cessation of such conditions; or to such other post as may in the meantime have become the post to which such officer or employee has been assigned.

(2) Charge expenses in connection with travel of personnel, their dependents, and transportation of their household goods and personal effects, involving a change of permanent station, to the appropriation for the fiscal year current when any part of either the travel or transportation pertaining to the transfer begins pursuant to previously issued travel and transfer orders, notwithstanding the fact that such travel or transportation may not all be effected during such fiscal year, or the travel and transfer orders may have been issued during the prior fiscal year.

(3) (A) Order to the United States or its Territories and possessions on leave provided for in 5 U. S. C. 30, 30a, 30b, or as such sections may hereafter be amended, every officer and employee of the agency who was a resident of the United States or its Territories and possessions at time of employment, upon completion of 2 years' continuous service abroad, or as soon as possible thereafter: *Provided*, That such officer or employee has accrued to his credit at the time of such order, annual leave sufficient to carry him in a pay status while in the United States for at least a 30-day period.

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

(C) Where an officer or employee on leave returns to the United States or its Territories and possessions, leave of absence granted shall be exclusive of the time actually and necessarily occupied in going to and from the United States or its Territories and possessions, and such time as may be necessarily occupied in awaiting transportation.

(4) Notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Agency, a privately owned automobile in any case where it shall be determined that water, rail, or air transportation of the automobile is necessary or expedient for any part or of all the distance between points of origin and destination, and pay the cost of such transportation.

(5) (A) In the event of illness or injury requiring the hospitalization of an officer or full-time employee of the Agency not the result of vicious habits, intemperance, or misconduct on his part, incurred while on assignment abroad in a locality where there does not exist a suitable hospital or clinic, pay the travel expenses of such officer or employee by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 10 of the act of March 3, 1933 (47 Stat. 1516; 5 U. S. C. 75b), to the nearest locality where a suitable hospital or clinic exists and on his recovery pay for the travel expenses of his return to his post of duty. If the officer or employee is too ill to travel unattended, the Director may also pay the travel expenses of an attendant.

(B) Establish a first-aid station and provide for the services of a nurse at a post at which, in his opinion, sufficient personnel is employed to warrant such a station: *Provided*, That in his opinion, it is not feasible to utilize an existing facility.



Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

(C) In the event of illness or injury requiring hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred in the line of duty while such person is assigned abroad, pay for the cost of the treatment of such illness or injury at a suitable hospital or clinic;

(D) Provide for the periodic physical examination of officers and employees of the Agency and for the cost of administering inoculations or vaccinations to such officers or employees.

(6) Pay the costs of preparing and transporting the remains of an officer or employee of the Agency or a member of his family who may die while in travel status or abroad, to his home or official station, or to such other place as the Director may determine to be the appropriate place of interment, provided that in no case shall the expense payable be greater than the amount which would have been payable had the destination been the home or official station.

(7) Pay the costs of travel of new appointees and their dependents, and the transportation of their household goods and personal effects, from places of actual residence in foreign countries at time of appointment to places of employment and return to their actual residences at the time of appointment or a point not more distant: *Provided*, That such appointees agree in writing to remain with the United States Government for a period of not less than 12 months from the time of appointment.

Violation of such agreement for personal convenience of an employee or because of separation for misconduct will bar such return payment and, if determined by the Director or his designee to be in the best interests of the United States, any money expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States.

(b) In accordance with such regulations as the President may prescribe and notwithstanding the provisions of section 1765 of the Revised Statutes (5 U. S. C. 70), the Director is authorized to grant to any officer or employee of the Agency allowances in accordance with the provisions of section 901 (1) and 901 (2) of the Foreign Service Act of 1946.

#### GENERAL AUTHORITIES

SEC. 6. In the performance of its functions, the Central Intelligence Agency is authorized to—

(a) Transfer to and receive from other Government agencies such sums as may be approved by the Bureau of the Budget, for the performance of any of the functions or activities authorized under sections 102 and 303 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred;

(b) Exchange funds without regard to section 3551 Revised Statutes (31 U. S. C. 543);

(c) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are hereby authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(d) Authorize couriers and guards designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;

by make alterations, improvements, and repairs on premises rented by the Agency; and pay rent therefor without regard to limitations on expenditures contained in the act of June 30, 1932, as amended: *Provided*, That in each case the Director shall certify that exception from such limitations is necessary to the successful performance of the Agency's functions or to the security of its activities.

SEC. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the act of August 28, 1935 (49 Stat. 956, 957; 5 U. S. C. 654), and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212 of the act of June 30, 1945, as amended (5 U. S. C. 947 (b)).

SEC. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any one fiscal year.

SEC. 9. The Director is authorized to establish and fix the compensation for not more than three positions in the professional and scientific field, within the Agency, each such position being established to effectuate those scientific-intelligence functions relating to national security, which require the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this section shall not be less than \$10,000 per annum nor more than \$15,000 per annum, and shall be subject to the approval of the Civil Service Commission.

#### APPROPRIATIONS

SEC. 10. (a) Notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out its functions, including—

(1) personal services, including personal services without regard to limitations on types of persons to be employed, and rent at the seat of government and elsewhere; health-service program as authorized by law (5 U. S. C. 150); rental of news-reporting services; purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices, including telegraph and teletype equipment; purchase, maintenance, operation, repair, and hire of passenger motor vehicles, and aircraft, and vessels of all kinds; subject to policies established by the Director, transportation of officers and employees of the Agency in Government-owned automotive vehicles; and the purchase of land, buildings, and places of employment, where such personnel

are engaged in work which makes such transportation necessary, and transportation in such equipment, to and from school, of children of Agency personnel who have quarters for themselves and their families at isolated stations outside the continental United States where adequate public or private transportation is not available; printing and binding; purchase, maintenance, and cleaning of firearms, including purchase, storage, and maintenance of ammunition; subject to policies established by the Director, expenses of travel in connection with, and expenses incident to attendance at meetings of professional, technical, scientific and other similar organizations when such attendance would be a benefit in the conduct of the work of the Agency; association and library dues; payment of premiums or costs of surety bonds for officers or employees without regard to the provisions of 61 Stat. 646; 6 U. S. C. 14; payment of claims pursuant to 28 U. S. C.; acquisition of necessary land and the clearing of such land; construction of buildings and facilities without regard to 38 Stat. 699; 40 U. S. C. 219, 226; repair, rental, operation, and maintenance of buildings, utilities, facilities, and appurtenances; and

(2) supplies, equipment, and personnel and contractual services otherwise authorized by law and regulations, when approved by the Director.

(b) The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds; and for objects of a confidential, extraordinary, or emergency nature, such expenditures to be accounted for solely on the certificate of the Director and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

#### SEPARABILITY OF PROVISIONS

SEC. 11. If any provision of this act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

#### SHORT TITLE

SEC. 12. This act may be cited as the "Central Intelligence Agency Act of 1949."

Mr. VINSON (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the bill as amended be dispensed with and that the same be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, will that deprive any Member from making a point of order against the bill at this time?

The SPEAKER. A motion to suspend the rules suspends all rules. Therefore, a point of order would not lie as to any provision of the bill.

Mr. MARCANTONIO. Including the Ramseyer rule?

The SPEAKER. Including the Ramseyer rule.

The gentleman from Georgia asks unanimous consent that further reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER. Is a second demanded?

Mr. SHORT. Mr. Speaker, I demand a second.

Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

Mr. MARCANTONIO. Mr. Speaker, I do not want to embarrass the gentleman from Missouri, but I submit that to demand a second a Member must be opposed to the bill.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. SHORT. I am not; I am very much in favor of it.

Mr. MARCANTONIO. Mr. Speaker, I am opposed to the bill. I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Maryland [Mr. SASSCER] is recognized for 20 minutes; the gentleman from New York [Mr. MARCANTONIO] will be recognized for 20 minutes.

Mr. SASSCER. Mr. Speaker, I yield myself 8 minutes.

The SPEAKER. The gentleman from Maryland is recognized.

Mr. SASSCER. Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947. This section sets out the functions of the Agency. It should be pointed out at once that H. R. 2663, which we are now considering, does not alter or add to these functions in any way. It simply provides for the administrative implementation of the functions which the Congress has already seen fit to give to the Agency.

Secondly, it should be pointed out that CIA functions exclusively under the powers granted it by the National Security Act of 1947 and not under any Executive order whatsoever.

Thirdly, with one or two exceptions to which your attention will be drawn, there is no authority in this proposed bill which at some time or other has not been granted to some other agency of the Government or which some other agencies are not now utilizing through their own implementing legislation. The reason why the hearings have been held in executive session, and why a certain amount of secrecy has been utilized in connection with this bill, is that the discussions with the members of CIA who appeared before the committee went into the operational background of the Agency. Naturally, operational details cannot be talked about in public for they go to the very heart of CIA's activities. Bear in mind, however, that the CIA is prohibited by law from any internal security functions. It deals only in the field of foreign intelligence.

This bill which we are now considering with one difference was introduced into the second session of the Eightieth Congress last year, and was unanimously approved by the Armed Services Committees both in the House and Senate after detailed hearings. The bill itself passed the Senate on the last day of the

session, but due to the last minute pressure of business could not be called up in the House. After most careful consideration, the present measure has again been unanimously approved, first by a subcommittee and then by the full Armed Services Committee in the House.

As I have said, its purposes are administrative, and its provisions break down into four main categories. In the first place, the Agency seeks to avail itself of the benefits of the Armed Services Procurement Act of 1947 so that it may utilize the most up-to-date procurement facilities in connection with its activities. Secondly, in connection with the sections dealing with foreign travel and similar allowances, the Agency, in availing itself of many of the provisions of the Foreign Service Act of 1946, is seeking to build up a career service in the intelligence field second to none. A second-best intelligence service is almost as bad as none at all. Within the framework of existing Government laws and salaries, we are seeking to place CIA on a career basis, particularly for those of its employees who may spend a large portion of their career on foreign assignment. Thirdly, we are supplying the Agency, by this bill, with certain general administrative authorities which are needed. Finally, we are supplying the Agency with appropriations language to which their budget and fiscal employees, as well as those of the General Accounting office, may look in the auditing of the Agency's expenses.

In broad terms, therefore, H. R. 2663 seeks to assist this country in the building up and development of a career foreign intelligence service, and to free the Agency from certain restrictions so that it may operate as a mature intelligence service must operate.

Section 1 of this bill merely contains certain very basic definitions of terms used in the act.

Section 2 authorizes a seal of office for the Agency, and provides that judicial notice shall be taken thereof. From time to time it has been necessary for CIA to produce records in court. For example, the records of the monitoring of foreign propaganda broadcasts in their possession have included recordings of the speeches made from Germany by Douglas Chandler and Robert Best. These recordings were the basis of the recent convictions of these two men for their treasonable activities during the late war. In order that authenticated copies of such material can be submitted when called for in court, a seal is necessary of which the court can take judicial notice.

Section 3 of the bill authorizes the Agency to utilize certain of the authorities granted the armed services in the Armed Services Procurement Act of 1947. The main features of this law which are being extended to the CIA are in the field of negotiation for contracts without advertising. The general ceiling for which contracts can be negotiated without advertising today is \$100. The Armed Services Procurement Act raises this ceiling to \$1,000, and it is being extended to include CIA contracts up to \$1,000. The bill also authorizes negotiation of contracts without advertising where public exigency will

not admit of delay, where it is impracticable to secure competition, and for supplies or services the nature of which should not be publicly disclosed. It stands to reason that certain of the technical equipment which this Agency must utilize may be made only by one firm for reasons of security, and certainly some of this equipment should not be openly advertised for. Therefore, it seems only proper that these authorities which the Congress has already extended to the armed services should be further extended to CIA. The remainder of this section sets forth the applicable provisions of the Procurement Act regarding rules for advertising, the type of contracts that can be made, damages, joint procurement, delegations of authorities and limitations thereon.

Section 4 of the bill authorizes the Agency to assign its personnel to schools for special instruction and training, and to pay the cost of such tuition and expenses. This will permit the Agency to send selected employees to such schools as the National War College, advance courses in international relations and related fields, refresher courses in language fields, and special training courses.

Section 5 of the bill presents one of its most important features from a career standpoint. Virtually all of the provisions of this section have been taken directly from similar provisions in the Foreign Service Act of 1946. It provides for the payment of travel expenses for the employees of the Agency and for the members of their families when proceeding to posts of duty abroad, and from post to post abroad. It provides for their being returned to the United States with their families on statutory home leave after 2 years of continuous service abroad.

It must be reemphasized that these provisions are not new departures created for CIA, but are merely extending to the Agency the best features of other career services in the Government. This section also provides for the hospitalization and medical care of the Agency's full-time employees abroad, and includes provisions for the periodic physical examination of all of the employees on foreign posts.

Certain general administrative provisions are granted to the Agency, most of which are similar to authorities granted to other agencies of the Government at one time or another, or which deal with the security of the Agency's operations. For instance, there are provisions permitting the arming of couriers and guards carrying confidential documents. Specific authority is needed to override State statutes which prohibit the carrying of firearms without special licenses. Such a statute is in existence for the FBI, and the armed services have always been allowed to arm officer couriers.

Section 8 of the proposed bill contains a provision which will permit the entry of 100 aliens into the United States for permanent residence. This will be explained more fully by my distinguished colleague, the gentleman from North Carolina [Mr. HARRIS]. However, I would like to emphasize that this section involves a time factor. Time is of the

essence, and should these people be required to go through the many procedures of obtaining visas, having photographs taken, and filing applications—they would be dead before taking their second step. In certain areas of the world such persons can only contact an American once. This section permits quick action to save the lives of persons of high intelligence value to the United States.

Finally we have provided in this bill some basic appropriations language to which the Government Accounting Office and the budget and fiscal offices of the Agency can look in the expenditure of funds. Much of this language is necessary, for without it the expenditure of funds for the purposes set forth herein cannot be allowed. In addition, we have provided the legal basis for the granting to the Agency authority for the spending of those unvouchered funds which the Appropriations Committee of the House will earmark, and without which there can be no successful operation of an intelligence service.

For the reasons I have set forth, I urge the passage of this bill. Above all, it will allow this country to continue and increase the successful operation of its foreign intelligence, upon which some day the security of this country and our very lives may well depend.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Michigan.

Mr. DONDERO. Will it affect the personnel of our American military government in Germany?

Mr. SASSCER. It is my understanding that it will not.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Speaker, I yield myself one additional minute.

Basically it is outlining the administrative procedure. There is a section in the bill relating to bringing in aliens, which my able colleague the gentleman from North Carolina [Mr. DURHAM] will discuss. However, I would like to again emphasize that this section involves a time factor. It in no way encompasses the functions or prerogatives of the immigration authorities or congressional committees. This is a security measure. These men can only contact an American once. Time is the element. If they cannot make a quick exit their heads may be off and valuable information lost.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from New York.

Mr. CELLER. Does the gentleman mean to imply that immigration restrictions built up over the years are not suspended by this bill?

Mr. SASSCER. They are suspended for 100 aliens on the basis of their potential news value for security purposes and not for the purpose of general immigration laws.

The SPEAKER. The time of the gentleman from Maryland has again expired.

Mr. DURHAM. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the lurid reasons? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on the Armed Services. The Committee on the Armed Services has nothing to do with immigration. Now this provision I have read throws out the window, at the discretion of the Director mentioned in this bill and the Attorney General, all the legislative immigration restrictions that we have built up over the years. It throws them to the winds, and if the Attorney General and the Director wish to admit Fascists, Communists, Hitler sadists, morons, moral perverts, syphilitics, or lepers, they can do it. I think the House ought to know what it is legislating about, and I think, in a measure, this indicates how the cold war is unhooking the nerves of some of our high military authorities. The secrecy, especially the brand we are treated to, is ridiculous. Secondly these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whither we are going. The military is not infallible. Witness the situation of the charges levied by the military intelligence against one Agnes Smedley recently, that she was a Communist, or a Russian spy, and instead of retracting when they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision which should be stricken from the bill or, if it is not stricken, certain safeguards should have been added.

I have spoken briefly to advise the Armed Forces Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DURHAM. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in the past few days, much has been said about a provision in the proposed act which will permit the entry of 100 aliens annually into the United States without regard to immigration laws. I would like to explain this provision carefully and fully,

Section 8 of this bill provides that whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, that alien and his family shall be given entry without regard to their admissibility under the immigration laws and regulations. The number of persons who can come into the country under this provision is limited to 100 persons in any one year. Let me emphasize that what is being waived are the laws regarding the admissibility of an alien into this country, but no laws are being waived regarding his conduct once he is here. The alien must live up to every law of the United States just as every other alien must do, and failure to do so will lead to his deportation for cause. What is the purpose of this section? Briefly, it is this. There are many people all over the world who believe in this country and what it stands for implicitly. Many of them are living in police states. Some of them may have formerly been highly placed in the service of their government. Some of them may even be there now. Many of them have important intelligence information to make available to this country, and such information may be of vital importance to our national security and our policies. These people, be they soldiers or statesmen or scientists, can only approach a representative of America once. If they are seen talking with an American, it may mean the concentration camps, or in some instances death itself. There is no time here to get visas and fill out the forms which the immigration laws require. The element of time is often 24 hours or less. When CIA plans such an operation, security requires that the people knowing it be held to an absolute minimum. The people who will be selected will be most carefully screened by CIA, and only the select few will be chosen. The concurrence in the Director's selection lies with the Attorney General, whose Immigration and Naturalization Bureau must administer the immigration laws once these people have arrived. The Committee feels that this power should be granted to the Director of Central Intelligence, and that the operation of our intelligence agency requires its existence. Its force and effect is testified to by the screams of anguish which have already emanated from Communist sources abroad. The Rumanian radio protested immediately after the Armed Services Committee approved this section. This is what it said:

Dollars fatherland, fatherland of gangsters and of international swindlers, is now officially decreed fatherland of spies from any corner of the world.

A statement by the American Slav Congress, which is on the Attorney General's list as a Communist organization, was forwarded to this committee, and almost upon its very receipt the Moscow radio started to broadcast its text. The Moscow radio says that this provision will make the freedom-loving American and every honest person in the world



Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

disgusted with the cynicism of the United States Congress and its policy of reviving fascism and preparing a new world war. It is interesting to note that the Moscow radio picks up and endorses this protest almost as soon as the committee itself has received the telegram. The people who will enter this country under this provision are not spies. They are defectors from the totalitarian state. They are people whose love of democracy is so great that at the risk of their lives they come to representatives of the United States to give them information which will help the west and the United States survive.

I believe the well-known radio commentator, Edward R. Murrow, very neatly summed up the purpose of this section in his broadcast of March 4, in which he stated, and I quote:

This is essentially an underground railroad for first-class passengers only, up to 100 a year. It will be confined to people of the highest caliber, morally and mentally, who have to get out of their own countries on short notice or face arrest, torture, or execution, people whose background, information, and services are so valuable to us that it would not be safe to keep them for any prolonged length of time even in countries of western Europe.

Mr. Speaker, the dearest thing we can give these aliens is admission to this country, and that is what your committee proposes.

As an essential weapon for the successful operation of this country's foreign Intelligence Service, and after the most serious and searching consideration, your committee has endorsed this section and urges its adoption, as well as all other provisions of the bill.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I call the attention of the Members of the House who are present to the language on page 6 of the report. I think it can be said without any fear of contradiction that this is the first time in the history of the United States that this language is found in any report accompanying a bill coming before the Congress. It reads as follows:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature. However, the Committee on Armed Forces received a complete explanation of all features of the proposed measure. The committee is satisfied that all sections of the proposed legislation are fully justified.

Let us look at this a moment. We are being asked to vote for legislation without having full explanation of all of the provisions of the bill.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. DURHAM. The gentleman knows of course that this is an espionage bill.

Mr. MARCANTONIO. I do not see what difference that makes. We have gone through two world wars. We have gone through a civil war and the Congress has never been asked to vote for any legislation without explanation of all of the provisions of the bill and that is what this report asks the Members

of this House to do. Can anyone deny that that is what we are being requested to do under this motion to suspend the rules?

What are we doing here? First of all, as to the secrecy with which the committee has been operating, it admits that its members have the information which they are withholding from the House. As the distinguished gentleman from Massachusetts, the former Speaker of the House [Mr. MARTIN], said, if he is correctly reported in this morning's press: "There is no such thing as a secret in Washington, when any three persons know it." Yet, we are told that the information the committee has must be kept a secret from the Members of the House. What is worse, the committee informs us through its report that the Members of the House must pass this bill without any explanation of all of its provisions. This makes every single section of this bill suspect. No Member of Congress has been informed. No Member of Congress has been given the full explanation of all of the provisions of the legislation to which the representatives of the people are entitled before voting on any legislation. Only the members of the Committee on Armed Services, we are told, have been given the explanation. That is the situation you have before you. If under the wave of hysteria you want to abdicate your legislative functions to just one committee of the House, that is your privilege, but as for me I refuse to do it. I no not care what reason is given. There has never been and there can never be any justification at any time for the representatives of the people, who are elected to Congress, to abdicate their function of legislating with full knowledge on the matters which come before them. This bill suspends that function and says, "You must not have knowledge of all of the provisions of the bill." It says, "You must vote blindly and must take the word of a committee." No one challenges the good faith of the committee members, but the fact is that with 435 Members from 435 different districts, we are all entitled to have our own viewpoint on legislation based on at least a full explanation of all of the sections of a bill. For that reason all times in the history of the Congress of the United States the membership has been given full explanation in a report which is intended to explain the bill. Never has Congress been told in a report accompanying a bill, as this one does, that Congress cannot have a full explanation of all provisions in the bill. This is the first time that Members of the House are told, "You cannot have any full explanation of this legislation. It is highly confidential. It deals with espionage."

As a result of the hysteria under which this bill is being passed I suppose a majority of the House will vote for this bill, even though in doing so you are suspending your legislative prerogatives and evading your duty to the people of this Nation.

Now, without having been given explanation of all of the provisions, I have been trying to find out something about this bill by reading the bill as well as

the report. Here are a few things that the Members of the House ought to know. I deal with section 4, on page 3:

SEC. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial arms.

What does this mean? With all of the vast powers that are given this agency under the guise of research and study, you are subjecting labor unions and business firms to the will of the military. You are opening the door for the placing of these intelligence agents, supposed to deal with security pertaining to foreign as well as internal affairs in the midst of labor organizations.

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. MARCANTONIO] has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself five additional minutes.

You are opening the doors for the entrance of intelligence agents into labor organizations; yes, to spy on labor and carry out antilabor activities. I am sure if it were not for the cold war hysteria, very few Members of the Congress would vote for that provision. Certainly the majority would not vote to suspend the rules so that you must take this bill as it is without any opportunity for amendment, despite its serious implications against the security of the liberties of the American people.

The gentleman from New York has discussed the immigration provision of the bill. I simply want to add to his comments that this section will work out only in one way: That there will be admitted into this country former Fascists and Nazis, antilabor people, promonarchists, people that a democracy such as ours would want to keep out. It is only natural that the followers of the Hapsburgs, Francos, and other Fascist scum will be the beneficiaries of this feature of the bill, which suspends the immigration laws and allows for permanent admission of 100 of them per year.

Then, from the standpoint of Government operations, on page 15 of the bill, we find this:

The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds.

I wish some of you gentlemen who have been cutting down appropriations for unemployment services and social welfare legislature would listen to this:

The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditures of Government funds.

So what are we doing here? From what we know—and, mind you, we have not been told everything—but from what we know, we are suspending civil liberties in the interest of a military intelligence agency. That is definite. You cannot get away from that. We are also making it possible to have admitted into this country, under the guise of

Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0



counterespionage or counterintelligence, people that a democracy would spew out under all circumstances. We are suspending all laws with regard to Government expenditures, and we are asking the Members of Congress to suspend their prerogatives and cease to do their duty on legislation with full explanation of the legislation. Of course, there are times when bills get by. We cannot all be up to date on everything. We might not know what is in a bill. That happens. But this time we are told that we are not supposed to know what is in the bill. I want to read that again, and I hope it will sink in:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

Congress is suspending its right to legislate and we are being asked to do this in furtherance of a cold war. This is illustrative of what this imperialist cold war is imposing on the people of a country: Suspending its civil liberties, invasion of the labor movement by intelligence agents, admission of undesirables—undesirable in any democracy—and asking Members of Congress to suspend their prerogative to pass on legislation.

But you say this is dealing with espionage, that this is done for the sake of security. I refuse to believe that our Nation is so unsafe from a security standpoint that we have to suspend not only the civil liberties of the people but the legislative prerogatives of the Representatives of the people in the Congress. If you want to do this in the hope that a newspaper will not criticize you for voting against it because of the hysteria which is being whipped up, that is your privilege; but I submit that the situation is obvious: Hysteria is used to undermine the civil liberties of the people and extend the military control—military control—I emphasize that, over the lives and thinking of the people of these United States.

Mr. Speaker, I reserve the balance of my time.

Mr. VINSON. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Missouri (Mr. SHORT).

The SPEAKER. The gentleman from Missouri is recognized for 4 minutes.

Mr. SHORT. Mr. Speaker, there is some plausibility in the argument advanced by the gentleman from New York. I suppose that none of us in the Chamber at this moment likes this particular kind of legislation, but I think we all will agree that the weakest link in our chain of national defense in days gone by has been in a weak intelligence system. The Germans, the Russians, the British, have had far better systems of intelligence than have we, and in spite of all our wealth and power and might we have been exceptionally weak in psychological warfare notwithstanding the fact that an idea is perhaps the most powerful weapon on this earth.

The pending bill, H. R. 2633, is substantially the same as H. R. 5871 which was introduced in the Eightieth Congress, unanimously reported by the Senate Committee on the Armed Services, and

passed the Senate. A companion bill was unanimously reported by the House Committee on the Armed Services, but due to lack of time it failed of passage in the Eightieth Congress.

The purpose of this bill is simply to give the Central Intelligence Agency authority that is necessary for its proper administration. It is true that we will bring in not to exceed 100 persons a year, but before they are admitted they will be carefully screened by both the Director of Central Intelligence and the Attorney General of the United States. They act jointly, and it is absolutely essential that some of the information given to members of our committee as was given to members of the Rules Committee, must be kept confidential, because it is of a secret nature. The FBI does not advertise the movements it makes in the apprehension of a criminal. Our intelligence officers to be effective and in their own defense as well as the country's must keep many of their movements secret. I think it would be supreme folly for us to discuss every phase and ramification of a bill that is of such a highly confidential nature.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from North Carolina.

Mr. DURHAM. Did the committee satisfy itself as to the expenditure of this fund?

Mr. SHORT. It did, and there is a definite limitation upon this. We limited not only the number of persons to be admitted but also the amount of money to be expended; however, we are not telling how, when, where, or to whom the money will go. We cannot, because of the very nature of the problem.

I am glad the gentleman from New York quoted from page 6 of the committee report because the language itself is self-explanatory. You are going to have to trust somebody, Mr. Speaker, and while perhaps it is asking too much for you to trust the members of the Committee on the Armed Services I think you can trust the Committee on Rules or any other committee of this House. Both committees mentioned reported this bill unanimously.

We are engaged in a highly dangerous business. It is something I naturally abhor but sometimes you are compelled to fight fire with fire. There is no other way out of it so far as I can see and perhaps the less we say in public about this bill the better off all of us will be.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the gentleman from Missouri has stated correctly that information is withheld sometimes by a committee when it receives information which is confidential. However, what is before us is not an instance of merely withholding information. I read from the report:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation.

It is obvious, and even a 6-year-old child can see the distinction. What we

have here is not a matter of withholding information; it is a matter of asking the Congress to legislate even though an explanation of the legislation is refused by the committee. The complaint I make is that the committee refuses to give any explanation of some of the provisions of the bill.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Missouri.

Mr. SHORT. I want to call the attention of the Members of the House to a sentence from Rear Adm. Hillenkoetter's request which he made in a letter addressed to the Speaker of the House, found on pages 6 and 7 of the report.

In next to the last paragraph he states:

In almost all instances, the powers and authorities contained in the bill already exist for some other branch of the Government, and the bill merely extends similar authorities to the Central Intelligence Agency.

That is absolutely true. These authorities exist for other Government agencies and all this bill does is to extend to the Central Intelligence Agency the powers already enjoyed by other agencies.

Mr. MARCANTONIO. The gentleman from Missouri has answered himself. The rear admiral says "in almost all instances," and again I say the committee refuses to explain the instances that are not covered by the rear admiral's statement, "In almost all instances." It is the exceptions that concern me.

Mr. SHORT. In the original statement of the gentleman from New York he said that never before had the Congress considered such legislation. We all know that the President was given blanket authority so far as the atomic bomb was concerned, and we spent \$2,000,000,000 of the taxpayers' money before anybody knew what it was.

Mr. MARCANTONIO. The gentleman will remember that in connection with the atomic bill that we had here there was a report on the legislation. Nowhere in the report was it stated that the report did not contain a full and detailed explanation of all the provisions of the proposed legislation. The legislation was explained section by section in the report accompanying the bill. This is the first time in the history of Congress that Members are being asked to vote on legislation about which not merely information is withheld but also explanation as to the provisions of the legislation.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from California.

Mr. HOLIFIELD. I would like to question the gentleman from Missouri. On page 4 of the report, subsection 5 (b), it is provided that an employee while in this country on leave may be assigned to temporary duty in the United States for special purposes or reorientation prior to returning to foreign service.

In the original unification bill passed through the Committee on Expenditures, of which I am a member, we had the setting up of this C.I.A. It was clearly

brought out at that time that no internal security work of any kind would be done by the CIA; that all of its intelligence work would be done in a foreign field. In view of this particular paragraph here I want to be assured at this time that such special duties as are mentioned here, or reorientation, do not apply to security functions in the United States.

Mr. SASSCER. Mr. Speaker, if the gentleman will yield, I will say to the gentleman that that is correct, that this bill is in no wise directed to internal security. If they come back here it is purely a matter of leave, and reorientation, and training to go back into their work in foreign fields.

The SPEAKER. The time of the gentleman from New York has expired.

The question is on suspending the rules and passing the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 348, nays 4, not voting 82, as follows:

[Roll No. 23]  
YEAS—348

Abernethy	Camp	Fenton
Albert	Cannon	Fernandes
Allen, Calif.	Carlyle	Fisher
Allen, Ill.	Carnahan	Flood
Allen, La.	Carroll	Fogarty
Andersen.	Case, S. Dak.	Forand
H. Carl	Cavalcante	Ford
Anderson, Calif.	Chaff	Frazier
Andresen.	Chatham	Fugate
August H.	Chelf	Fulton
Andrews	Chesney	Purcolo
Angell	Chilperfield	Gamble
Arends	Christopher	Garmatz
Aspinall	Church	Gary
Achincloss	Clemente	Gathings
Barden	Clevenger	Gavin
Barrett, Wyo.	Coffey	Gillette
Bates, Ky.	Cole, Kans.	Golden
Bates, Mass.	Colmer	Goodwin
Battle	Combs	Gordon
Beall	Cooper	Gore
Beckworth	Cotton	Gorski, Ill.
Bennett, Fla.	Cox	Gorski, N. Y.
Bennett, Mich.	Crawford	Gossett
Bentsen	Crook	Graham
Biemiller	Crosser	Granger
Bishop	Cunningham	Grant
Blackney	Curtis	Green
Bland	Dague	Gregory
Blatnik	Davis, Ga.	Gross
Boggs, Del.	Davis, Wis.	Hagen
Boggs, La.	Dawson	Hale
Bolling	Deane	Hall
Bolton, Md.	Delaney	Edwin Arthur
Bolton, Ohio	Denton	Halleck
Bonner	D'Ewart	Hardy
Boykin	Dolliver	Hare
Bramblett	Dondero	Harris
Breen	Doughton	Harrison
Brehm	Doyle	Hart
Brooks	Durham	Harvey
Brown, Ga.	Eaton	Havener
Brown, Ohio	Eterharter	Hays, Ohio
Bryson	Elliott	Hedrick
Buchanan	Ellsworth	Heffernan
Burdick	Elston	Heller
Burke	Engel, Mich.	Heseltan
Burleson	Engle, Calif.	Hinshaw
Burnside	Evins	Hobbs
Burton	Fallick	Hollifield
Byrne, N. Y.	Feighan	Holmes
Byrnes, Wis.	Fellows	

Hope	Meyer
Horan	Michener
Howell	Miles
Huber	Miller, Calif.
Hull	Miller, Md.
Jackson, Calif.	Miller, Nebr.
Jackson, Wash.	Mills
Jacobs	Monroney
James	Morgan
Jenkinson	Morrison
Jenkins	Morton
Jennings	Murray, Tenn.
Jensen	Murray, Wis.
Jonas	Nelson
Jones, Ala.	Nicholson
Jones, Mo.	Noland
Jones, N. C.	Norblad
Judd	Norrell
Karsten	O'Brien, Ill.
Kearney	O'Brien, Mich.
Keating	O'Hara, Ill.
Kee	O'Hara, Minn.
Keefe	O'Konski
Kelley	O'Sullivan
Kennedy	O'Toole
Kerr	Pace
Kilburn	Passman
Kilday	Patman
Kirwan	Patten
Klein	Perkins
Kruse	Peterson
Lanham	Pfeiffer
Larcade	William L.
LeCompte	Philbin
LeFevre	Phillips, Calif.
Lemke	Phillips, Tenn.
Lesinski	Pickett
Linehan	Poage
Lodge	Polk
Love	Potter
Lucas	Preston
Lyle	Price
McCarthy	Priest
McConnell	Quinn
McCormack	Rabaut
McCulloch	Rains
McDonough	Ramsay
McGrath	Rankin
McGregor	Reed, Ill.
McGuire	Reed, N. Y.
McKinnon	Rees
McMillan, S. C.	Regan
McMillen, Ill.	Rhodes
Mack, Ill.	Ribicoff
Mack, Wash.	Rich
Madden	Richards
Magee	Riehlman
Mahon	Rivers
Mansfield	Rodino
Marsalis	Rogers, Fla.
Marshall	Rogers, Mass.
Martin, Iowa	Rooney
Martin, Mass.	Sabath
Mason	Sadiak
Merrow	St. George
	Saborn

NAYS—4

Bosone  
Marcantonio

NOT VOTING—82

Abbitt	Hand	Nixon
Addonizio	Harden	Norton
Ballou	Hays, Ark.	O'Neill
Baring	Hébert	Patterson
Barrett, Pa.	Herlong	Pfeiffer,
Bloom	Herter	Joseph L.
Buckley, Ill.	Hill	Plumley
Buckley, N. Y.	Hoffman, Ill.	Poulson
Bulwinkle	Hoffman, Mich.	Redden
Candell	Irving	Sadowski
Case, N. J.	Javits	Scott, Hardie
Chudoff	Johnson	Scott,
Cole, N. Y.	Kean	Hugh D., Jr.
Cooley	Kearns	Smith, Ohio
Corbett	Keogh	Somers
Coudert	King	Stockman
Davenport	Kunkel	Tauriello
Davies, N. Y.	Lane	Taylor
Davis, Tenn.	Latham	Thomas, N. J.
deGrassenfeld	Lichtenwalter	Weichel
DeGingell	Lind	Whitaker
Dollinger	Lynch	White, Idaho
Donohue	McSweeney	Wilson, Ind.
Douglas	Macy	Wilson, Okla.
Gilmer	Mitchell	Winstead
Granahan	Moulder	Woodhouse
Gwinn	Multer	Young
Hall	Murdock	
Leonard W.	Murphy	

So two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Hays of Arkansas with Mr. Hugh D. Scott, Jr.  
Mr. deGrassenfeld with Mr. Case of New Jersey.  
Mr. Whitaker with Mr. Hardie Scott.  
Mr. Hébert with Mr. Hand.  
Mr. Lind with Mr. Smith of Ohio.  
Mr. Addonizio with Mr. Keam.  
Mr. King with Mr. Coudert.  
Mr. Tauriello with Mr. Candell.  
Mr. Winstead with Mr. Macy.  
Mr. Murphy with Mr. Kunkel.  
Mr. Lynch with Mr. Patterson.  
Mr. Chudoff with Mr. Poulson.  
Mr. Buckley of Illinois with Mr. Leonard W. Hall.  
Mr. Granahan with Mr. Kearns.  
Mrs. Norton with Mr. Latham.  
Mr. Joseph L. Pfeiffer with Mr. Plumley.  
Mr. Young with Mr. Taylor.  
Mr. McSweeney with Mr. Hoffman of Illinois.  
Mrs. Douglas with Mr. Gwinn.  
Mr. Lane with Mr. Corbett.  
Mr. Donohue with Mr. Lichtenwalter.  
Mr. Dingle with Mr. Cole of New York.  
Mr. Baring with Mr. Wilson of Indiana.  
Mrs. Woodhouse with Mr. Weichel.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, during the past few days there has been a great deal of publicity and discussion about a bill reported favorably by the Armed Services Committee with respect to our Central Intelligence Agency.

There is nothing startling in this bill and, with one major exception, practically all of the remaining provisions of the proposed legislation now exist for some branch or branches of the Government. In fact, almost all of the proposed legislation was taken from existing laws applicable to other Government agencies, particularly the State Department.

The Central Intelligence Agency was established pursuant to section 102 of the National Security Act of 1947. Its functions are set out in that act, which states that it shall be the duty of the agency, under the direction of the National Security Council:

First:

To advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

Second:

To make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

Third:

To correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government, using

Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

where appropriate existing agencies and facilities: *Provided*, That the agency shall have no police, subpoena, law enforcement powers, or internal security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosures;

#### Fourth:

To perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

#### Fifth:

To perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Now, what authority is granted in the proposed legislation? Well, the bill creates a seal of office for the Central Intelligence Agency. It extends to it certain provisions of the Armed Services Procurement Act of 1947. It permits the Director to provide for special instruction and training of agency personnel. It provides for travel allowances and expenses for agency personnel. It permits agency personnel to return to the United States on leave after 2 years of foreign service. It provides for the payment of transporting and storing household belongings. It provides for the health of employees overseas by permitting the payment of travel expenses to the nearest adequate medical facilities when local medical facilities are inadequate. It provides for the establishment of first aid stations at posts overseas. It provides for physical examinations for all employees. It provides for transporting the remains of an employee or a member of his family who may die while overseas, and it provides that the agency may recruit foreign nationals abroad where citizens of the United States are not available for such employment. And it provides allowances for agency employees similar to those given to State Department Foreign Service employees. It also contains other provisions of greater significance, such as the authority to transfer and receive from other Government agencies such sums as may be approved by the Bureau of the Budget for the performance of any of the agency functions. This is how the Central Intelligence Agency gets its money. It has been going on since the agency was created, and this simply legalizes that important function which is the only means by which the amount of money required to operate an efficient intelligence service can be concealed. Likewise, the bill removes certain limitations which exist under provisions of law which limit the amount of rental that the agency may pay for its quarters overseas and the amount of improvements that it may make in such leased facilities. This makes sense in view of the fact that an efficient intelligence agency must be able to rent adequate facilities regardless of the value of the property and must be permitted to make such improvements in the property as may be necessary for the proper safeguarding of information, and

the installation of necessary equipment. The bill also eliminates the agency from the requirements of law which result in the publication of personnel data in the Official Register of the United States, and exempts the Bureau of the Budget from the necessity of including in its public report to the Congress the agency's personnel strength. This information has not heretofore been made public and must, of course, continue not to be made public, and this merely legalizes such action.

The most widely publicized feature of the bill is that with respect to the provision which provides for the admission of 100 aliens for permanent residence in the United States. This will only be done when the Director and the Attorney General concur in the admission of such aliens and will permit the agency to offer to certain defectors and others the greatest reward possible in this world today, residency in the United States. These people will be carefully screened and their admission will only be in the best interests of the United States, and, furthermore, if at a later date they should prove undesirable they can be deported.

Another section of the bill provides that the agency may spend sums made available to it without regard to provisions of existing law. It also permits the expenditure of funds for confidential purposes to be solely accounted for by certification of the Director. This is not unusual. The State Department has such authority, as does the Atomic Energy Commission, and, for that matter, so in effect do all branches of the armed services.

Therefore the only significant feature of this bill which will be completely new in all respects will be that pertaining to the admission of 100 aliens in the United States.

There has been a great deal of discussion as to why the committee meetings were conducted in executive session without a stenographic record being kept. It is obvious that there is certain information which must be confined to as few people as possible. For example, it would not be wise to disclose to the world the amount of money necessary to operate the Central Intelligence Agency annually. Nor would it be wise to announce to the world the number of personnel employed by the agency. Nor would it be wise to announce just where our CIA is operating, or how they are operating, or what information they are seeking to obtain, or what information they have obtained. But in order for a congressional committee to properly analyze a bill granting authority to an agency to perform certain functions, it seemed wise to obtain this information but not to make it public.

This bill will enable the agency to have legal authority for practically all the things it is now doing. You will note that the National Security Act specifically excludes the agency from internal security functions. There is no problem of invasion of the rights of American citizens involved in this legislation. If this Nation wants a modern, efficient, effective, capable, valuable intelligence gathering agency, then we must give it certain authorities. If we do not want such an agency, we will be the only nation in

the world without one. It would seem a little ridiculous to spend one-third of our annual budget for our national defense and not grant reasonable monetary, statutory and administrative support to the agency charged with gathering the intelligence information which has so much to do with the size of the appropriations we grant for the strength of our armed services.

I might add that this bill was reported unanimously by the subcommittee and unanimously by the full committee. That there were no dissenting votes is significant. The records indicating the Members who attended the meetings are available for public inspection.

#### HOUSE RESOLUTION 130

The SPEAKER. Without objection, House Resolution 130 will be laid on the table.

There was no objection.

#### THE COMMUNIST PARTY

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BRYSON. Mr. Speaker, in view of the daily recurrence of events we cannot longer sit supinely by and allow members of the ungodly Communist Party to destroy us. Repeatedly, I have spoken out against the apparent determination on the part of Stalin's agents in this country to thwart all efforts toward establishing permanent peace.

Words and efforts of conciliation have proven to be of no avail. We must strike and strike now before it is too late. Today, I have introduced a bill in the House, which if enacted, would outlaw the Communist Party and order deportation of all foreign Communists within our borders. I submit this vital measure to each of you for its immediate favorable consideration.

Attached hereto I include a very timely editorial from my home-town newspaper, the Greenville Piedmont:

#### COMMUNISTS DROP MASK OF PATRIOTISM

In less than 2 weeks Communists in three democratic countries have made the convenient flexibility of the Red line of reasoning and the calculated treachery of the party oath brutally clear. The truth is not in them and honor has no meaning for them.

The two top American Communists, National President William Z. Foster and General Secretary Eugene Dennis, said this week that in the event of war between the United States and Russia the American Communist Party would try to defeat the predatory war aims of American imperialism.

They said they did not think war was inevitable, that they believed the American and Russian systems could exist separately and peaceably. But, they added, if Wall Street should plunge the United States into war, the Communists would oppose it as unjust and aggressive and destructive of the deepest interests of the American people.

There, you have it. Should Russia attack us, Wall Street aggression would be blamed.

French Communist Maurice Thorez said last week that Soviet Russia was by definition incapable of aggression. Therefore, if another nation becomes involved in a war with Russia, no matter what the circumstances,

Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

4240

## CONGRESSIONAL RECORD—SENATE

APRIL 1

obstructing interstate and foreign commerce, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. TAFT. Mr. President, I object.

The VICE PRESIDENT. On objection, the bill will be passed over.

#### TRANSFER OF POMONA STATION OF AGRICULTURE REMOUNT SERVICE

The bill (S. 969) to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif., was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, am I correct in my understanding that we are now on Calendar 84, Senate bill 969?

The VICE PRESIDENT. That is correct.

Mr. WHERRY. If I may inquire, can the Senator from Oregon tell us whether consideration of this bill also is objected to on the same basis as the objection to the bill relative to Crawford, Nebr.?

Mr. MORSE. No, Mr. President, I have gone into this bill, and it is a good example of the distinction in principle to which I have heretofore alluded. In this bill all the bill proposes to do is to return to the Kellogg Foundation the property which they sought to turn over and did turn over to the Federal Government for a particular use. The Federal Government no longer desiring the property for that purpose, I think it is perfectly proper to return the property to the Kellogg Foundation. It is not a case of giving away property that belongs to all the people of the United States, but rather returning property turned over to the Government for a particular use which the Government no longer wants to make use of. I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment on page 1, line 7, after the word "California", to strike out ", which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg", and insert "which tract, originally in the ownership of W. K. Kellogg, was conveyed to the United States acting through the War Department (now Department of the Army)", so as to make the bill read:

*Be it enacted, etc.* That the Secretary of Agriculture is authorized and directed to transfer and convey to the W. K. Kellogg Foundation, Inc., without cost, the real property, comprising 812 acres, more or less, of the Agriculture Remount Station at Pomona, Calif., which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg and subsequently transferred to the Department of Agriculture pursuant to the act of April 21, 1948 (62 Stat. 197), and such of the personal property of this station as may be agreed upon, in writing, by the Secretary of Agriculture and the W. K. Kellogg Foundation, Inc.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading and the third time.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY—BILL PASSED OVER

The bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

Mr. TYDINGS. Mr. President, I should like to make a brief explanation of the bill. This is a very important bill to those who are identified with the Central Intelligence Agency. In modern times it is necessary to assemble all the information that can be obtained concerning our own national security and its relationship to the national security of other countries. All governments—we might as well be frank about it—utilize every reasonable agency they can to assemble desirable information concerning the activities of other governments. Sometimes in some countries men who are engaged in trying to find out what is going on lose their lives. They are caught, held as spies, and liquidated. They are never heard of again. The bill does not provide for any new activity. What it does particularly is to seek to safeguard information procured by agents of the Government so that it will not fall into the hands of enemy countries or potential enemy countries who would use the information to discover who the agents were, and kill them.

To my certain knowledge, in a certain area, not many years ago three good Americans who were trying to serve their Government by finding out whether the intentions of another government were strictly honorable were liquidated. The men were detected and killed. What the bill does is to seek to keep their names and identities out of the normal accounting channels, so that they cannot be picked up through the promiscuous dissemination of information. That is the principal point in the bill.

I shall not ask for its immediate consideration. I know there are some Senators, one of whom is my good friend and colleague, the Senator from North Dakota, who wants more time to look into it. But I wanted to make this brief explanation, so that Senators would have in mind what is in the bill as they consider it and read it in the future. I shall be very glad to yield, within the time limit that is left to me, to answer, if I can, any question any Senator may desire to raise.

The VICE PRESIDENT. The bill will be passed over, then.

#### DISCLOSURES RELATING TO UNITED STATES CODES, ETC.—BILL PASSED OVER

The bill (S. 277) to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communications intelligence activities of the United States was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. FERGUSON. Mr. President, reserving the right to object, in order to get an answer on the record, I may say

Michigan that the words "lawful demands," do not mean that a subpoena to Congress will be necessary in order to obtain information for congressional committees, either of the Senate or House, or joint committees. Will the Senator from Texas make a statement to that effect for the record?

Mr. JOHNSON of Texas. The Senate from Michigan has correctly stated the meaning.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Colorado. I ask that the bill go over.

The VICE PRESIDENT. Does the Senator object?

Mr. JOHNSON of Colorado. I object.

The VICE PRESIDENT. The bill will be passed over.

#### BILL PASSED OVER

The bill (H. R. 1211) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended and for other purposes, was announced as next in order.

Mr. WHERRY. Mr. President, by request, I ask that the bill go over. I should also like to have the same statement made following the objection raised by me to Calendar 71, Senate bill 1070.

The VICE PRESIDENT. On objection, the bill will be passed over.

#### BILL PASSED OVER

The bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. LODGE. By request, I object.

Mr. THOMAS of Oklahoma. Mr. President, I should like to inquire whether the Senator from Massachusetts will withhold the objection for a moment?

Mr. LODGE. I may say to the Senator from Oklahoma I am making objection at the request of a colleague who cannot be present today. I myself, have no interest in the matter.

Mr. THOMAS of Oklahoma. Mr. President, essentially the bill contains but two provisions. One is a reference to the board personnel. The second is a reference to broadening the powers of the Commodity Credit Corporation. I understand there are objections to the personnel of the board as proposed in the bill. It is not necessary, in my opinion, to consider the second objective, which is to give the Commodity Credit Corporation power to acquire property by gift, lease, or otherwise for the construction of storage facilities. In order to secure action on the bill if the objection runs to the first feature, the personnel of the board, I should be willing, as author of the bill in part, to waive that feature in order to have the second part enacted into law.

Mr. LODGE. I may say to the Senator from Oklahoma, I have no knowledge of the bill. My colleague is necessarily absent today, and I suggest that it go over until his return, which will be very soon.



was being contemplated; or we might ask the Chief of the Biological Warfare Service to sit with the Joint Chiefs of Staff when biological warfare is being contemplated. The Marine Corps will be represented on the Joint Chiefs of Staff, because the Navy will be represented there, and the Marine Corps is a part of the Navy.

Certainly we could not very well pick various functions or services in the Army and have them specially represented on the Joint Chiefs of Staff when particular activities involving them were under consideration or were about to be taken in.

No military support has been presented for the amendment.

With all due respect to the Marine Corps, I think it would be unfortunate to make an exception in its case, because to do so would be to give the Navy two seats on the Joint Chiefs of Staff, although the Army and the Air Corps would still have only one each.

If the amendment were adopted, of course the next step proposed would be to increase the representation of the Army and the Air Corps on the Joint Chiefs of Staff, so as to give all three services equal representation there.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Vermont (Mr. Flanders), on behalf of himself, the Senator from Wisconsin (Mr. Carey), and the Senator from Illinois (Mr. Douglas).

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the enactment and third reading of the bill. The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill S. 1843 was passed.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

Mr. LUCAS. Mr. President, I ask unanimous consent that the unfinished business, House bill 1211, to extend the authority of the President under section 1 of the Tariff Act of 1930, as amended, and for other purposes, be temporarily set aside, and that the Senate proceed to consideration of House bill 2663, S. 90, an act to provide for the administration of the Central Intelligence Agency.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 93) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. WHERRY. I have no objection. There being no objection, the Senate proceeded to consider the bill.

#### ACQUISITION OF SITES FOR FEDERAL BUILDINGS

The PRESIDING OFFICER (Mr. Schoeppel in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 714) to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes, which was to strike out all after the enacting clause and insert:

That this act may be cited as the "Public Buildings Act of 1949."

#### TITLE I—COMPREHENSIVE PLANNING OF FEDERAL PUBLIC BUILDINGS OUTSIDE OF THE DISTRICT OF COLUMBIA

SEC. 101. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, lands or interests in lands as sites or additions to sites for Federal public building projects previously authorized and for such new projects as may be selected in the manner designated in this section, to make investigations and studies and to prepare plans, sketches, working drawings, and specifications for such projects. Whenever the Federal Works Administrator shall determine such action to be necessary, such investigations, studies, preparation of plans, sketches, working drawings, and specifications, may be undertaken prior to the approval of title to the sites by the Attorney General. When buildings to be used in whole or in part for post-office purposes are involved, the Federal Works Administrator, shall act jointly with the Postmaster General in the selection of towns or cities in which buildings are to be constructed, and in the choice of sites therein for such projects. The Federal Works Administrator and the Postmaster General shall submit to the Congress a comprehensive report of all eligible projects and their limits of cost when in excess of \$200,000, without regard to the time in which they may be undertaken, which report shall be printed as a public document. When the estimated cost of a project does not exceed \$200,000 the limit of cost shall be determined by the Commissioner of Public Buildings. Selection of projects for the purposes of this title shall be made by the Federal Works Administrator and the Postmaster General from such report and they may also select such other projects not included in such report which in their judgment are economically sound and advantageous to the public service: Provided, That in making such selections they shall distribute the selected projects equitably throughout the country with due regard to the comparative urgency of projects in various sections of the country.

SEC. 102. It is the intent of the Congress that the equitable distribution of selected projects required by section 101 of this title shall provide for the participation by each congressional district in the benefits that will accrue from the future construction of one or more of such selected projects. It is the further intent of the Congress that those congressional districts in which are located projects previously authorized and selected for construction (including those for which sites have been acquired), but which have not been constructed, shall be entitled to such project or projects, or the equivalent thereof, in

addition to the projects authorized and selected under this title.

SEC. 103. For carrying out the purposes of this title, including administrative, supervisory, traveling, and other expenses in connection therewith, there is hereby authorized to be appropriated the sum of \$40,000,000 to remain available until expended.

#### TITLE II—ACQUISITION OF SITES AND TRANSFER OF JURISDICTION OVER SITES BY VARIOUS AGENCIES AND DEPARTMENTS OF THE GOVERNMENT

SEC. 201. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, land situate in the northwest section of the District of Columbia designated as squares 11, 19, 20, and 32, said land to be used wholly or in part together with other Government-owned land adjacent or in close proximity thereto as the site or sites for a departmental building or buildings project authorized to be constructed thereon.

SEC. 202. In order to provide a more suitable site for the new San Diego, Point Loma, Calif., Quarantine Station, the Secretary of the Navy is hereby authorized and directed to transfer to the control and jurisdiction of the Federal Works Agency, without reimbursement, a parcel of land in the city of San Diego, county of San Diego, State of California, described as follows:

Commencing at an old stone monument marked "U. S. M. R.", on the northerly boundary line of the naval fuel annex, said point being the true point of beginning; thence from said true point of beginning north eighty-nine degrees thirty-one minutes thirty-five seconds east one hundred and eleven and six one-hundredths feet, more or less, to a point on the mean high-tide line of San Diego Bay; thence south five degrees twenty-two minutes fifty seconds west along the mean high-tide line three hundred and ten and eleven one-hundredths feet; thence south one degree fifteen minutes forty-five seconds west along the mean high-tide line one hundred and three and fifty one-hundredths feet; thence leaving said mean high-tide line south eighty-nine degrees thirty-one minutes thirty-five seconds west five hundred and eighty-seven and nine one-hundredths feet; thence north one degree thirty-eight minutes twenty-five seconds west two hundred and one and forty-three one-hundredths feet; thence north twelve degrees twenty-four minutes forty-five seconds east two hundred and sixteen and nine one-hundredths feet to a point on the northerly boundary line of the naval fuel annex; thence along said northerly line of the naval fuel annex north eighty-nine degrees thirty-one minutes thirty-five seconds east four hundred and sixty-six and seventy-four one-hundredths feet to the true point of beginning, containing five and six-tenths acres, more or less;

And the Federal Works Administrator is hereby authorized and directed to transfer to the control and jurisdiction of the Department of the Navy, without reimbursement, all the land comprising the present quarantine station site lying and being in the city of San Diego, county of San Diego, State of California, bounded on the south by First Street, on the west by San Antonio Avenue, on the north by Colorado Street, and on the east by San Diego Bay.

SEC. 203. The Federal Works Administrator is hereby authorized and directed to transfer to the jurisdiction and control of the Department of the Army, without reimbursement, for use for military purposes, all the land comprising the present quarantine station situated on Quarantine and Sand Islands, Honolulu, Oahu, Territory of Hawaii, described as follows:

Beginning at the southwest corner of tract transferred to the Commerce Department by the War Department by Executive Order

tion's most precious heritage—our continuing faith in our dependence upon Almighty God and His guidance in the affairs of men and nations."

#### COMMENDATION OF PHILIP MURRAY AND THE CIO FOR OUSTING COMMUNISTS

Mr. MARTIN. Mr. President, I rise to express commendation and my personnel appreciation of the sound action taken by Philip Murray and the executive committee of the CIO in recent days. I refer to the forthright drive to rid that great labor organization of the Communist taint in the leadership of some of its unions.

The CIO has never been on my side. In fact, it has been one of the most active of my political opponents.

For my part, I have found fault with the CIO many times. For years I have demanded that it purge itself of the Communist-card carriers and the fellow travelers who have had such great influence in its activities. And for years, because of this demand, some members of the CIO have called me a wide variety of names—none of them pleasant.

I have also criticized the rule-or-ruin tactics of the CIO, its insistence that public officials take care of it first, ahead of the welfare of the public as a whole. I shall always object to such tactics, whether they come from labor, industry, politics, or from any other source, including the Federal bureaucrats.

But when Philip Murray and his CIO do a fine and courageous thing, even though belatedly, I feel that they should be commended and congratulated.

I hesitated for several days to make this statement on the floor of the Senate. I believed it should and would come from the CIO's friends in the Senate, those who have backed its activities, and who in turn have been the beneficiaries of PAC votes.

But, oddly enough, none of them has come forward on this floor to laud that organization for its increasingly successful fight to get rid of the foul fumes of communism which pervade some sections of the CIO.

Since I believe that public recognition is due Mr. Murray and the CIO, I have decided that I should call attention to their action, rather than let it go unnoted on the floor of the United States Senate.

I want to remind the Senate that Philip Murray, national president of the CIO and of its steelworkers, is a Pennsylvanian. He is a former coal miner of my State; in fact, he worked in the coal mines of Washington County, my own home county. He rose to his present eminence by hard work and full use of his intelligence. He is and always has been strongly anti-Communist.

What is new and important is that finally he has been able to rally enough other leaders of his organization to make the drive which is presently succeeding.

Mr. President, I commend to the United States Senate the action of the CIO board, which met here in Washington the other day and made clear that it will no longer tolerate Communists and Communist sympathizers in high places in that labor organization.

It is appropriate also at this time to suggest similar action by those bureaucrats who, willfully or otherwise, have closed their eyes to the dangers of communism in this country. I recommend that they face this situation with vigor and courage, and take such steps as are necessary to drive out every Communist who holds a place in our Government.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

The Senate resumed the consideration of the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

Mr. TYDINGS. Mr. President, I should like to make a brief explanation of the pending bill. It is similar to one which was passed unanimously by the Senate at the last session. The bill presently before us is a House bill which passed the House of Representatives, as I recall, by a large favorable vote; I think there were only about four votes in opposition to it. It is called the Central Intelligence Agency bill.

Although this measure may be looked upon by some persons as of little importance, in my opinion, for whatever it may be worth, it is one of the most important pieces of legislation which we shall consider in this Congress. I say that for the reason that it is important that our military authorities be completely advised in regard to what is taking place in the world, so that they may constantly make an estimation of the probable dangers which eventually may confront our country, and of how they may deal with them.

The bill relates entirely to matters external to the United States; it has nothing to do with internal America. It relates to the gathering of facts and information beyond the borders of the United States. It has no application to the domestic scene in any manner, shape, or form.

The work to which the bill relates is dangerous work. In many localities where representatives of our Government may go in quest of information, if they are detected they are likely to pay for their adventuresome spirit with their very lives. I should say it is not improbable—and I am measuring my words—that many men working for our government already have paid the supreme sacrifice in attempting to gather information of a nature vital to our country. Particularly when our soldiers are stationed abroad in such goodly numbers in many countries, and where there are at times the possibilities of conflict, it is important that a variety of useful information be assembled, in case of need—not that we are going to use it to make war, but so that we may use it in the event war is made upon us, so as to save the lives of citizens of our country and even the lives of civilians who are not citizens of our country, but who might be in the path of a conflict in which our own troops might eventually be engaged.

This bill has the approval of the State Department and of the Department of Justice. Its enactment is desired by the

military department of the Government. The bill has been referred to the chairman of the Judiciary Committee of this body, the Senator from Nevada [Mr. McCARRAN] who is in charge of certain phases of activity in our domestic scene upon which this measure might impinge slightly; to wit, the admission to this country of an immigrant who would give us valuable information. The Senator from Nevada has read the bill and has given his written approval of it.

I am available now to answer questions, insofar as I can, by Senators who are not members of the committee, who perhaps would like to have some information which I have not covered in this brief summary. I have no desire to take up the time of the Senate in an extensive analysis of the bill, but I think I have indicated enough to show what its general purport is and how important it might be in conceivable circumstances to the safety and the lives of people in and out of uniform in our own country.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Virginia.

Mr. ROBERTSON. I should like to ask the distinguished Senator from Maryland whether the program is to support the present counterintelligence work of the Army or is to complement it?

Mr. TYDINGS. I may say the bill changes nothing that is not now in existence insofar as foreign intelligence is concerned. It is already provided in the Unification Act that there shall be a central intelligence agency charged with these duties, but unfortunately the provision is couched in a generality, and this bill is to give the agency, inasmuch as we have it anyway, the mechanics so it can be more effective than it could otherwise be.

Mr. ROBERTSON. I may say to my distinguished colleague that I am in full sympathy with the purpose of the bill and shall gladly support it.

Mr. TYDINGS. I say in conclusion, we must always know the size of the armies of other countries, we must know what their air potential is, what inventions they are pursuing, what the people in a possible enemy country are likely to think or are likely to do, or how they are likely to react to a given circumstance. We cannot merely take the word always of the governmental authorities who are for the moment in charge of those countries. We have to know the real truth, and it is in order to do this that we have such an agency as this, that the logistics that flow from this information may be always available in the time of emergency.

Mr. CAIN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Washington?

Mr. TYDINGS. I yield.

Mr. CAIN. May we safely conclude that in the days prior to World War II America did not benefit from what the Senator and his associates have endeavored to work out and are now presenting to us?

Mr. TYDINGS. I should say that prior to our entry into World War II we were babes in the woods to a large extent in this field. If we had had then what we have now it is possible there might have been a different result at Pearl Harbor. The information was there, and we should have had men operating within the group who were adverse and hostile to the United States, working with them, so they could have told us what were the intentions of those people who were under our flag, ostensible citizens, but who were plotting, in liaison perhaps with possible enemies, to destroy the United States of America. I thank the Senator for his interruption.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. As one who followed the bill very closely last year and was in charge of it, there is but one thought on which I think the Senator might enlarge somewhat. This intelligence agency does no work at all within the continental United States, except to assimilate information it receives elsewhere. Is not that correct?

Mr. TYDINGS. The Senator is completely correct. There is not a single agent of this intelligence agency working within the United States in any form of espionage, directly or indirectly. It is purely and completely and wholly and singly in the external or foreign field. It has no connection with the FBI, it is not under the FBI, it does not do the same kind of work as the FBI. Its sole effort is outside the United States.

Mr. SALTONSTALL. Am I correct in saying that it does not interfere with the FBI in any way, shape, or manner?

Mr. TYDINGS. That is correct. It does not interfere with it in the slightest degree. Are there any other questions? If not, I do not desire to hold the floor, but I hope the debate will not be too greatly extended, that we may draw the issue, whatever it is, and have the Senate on record, and I hope, with overwhelming support.

The VICE PRESIDENT. The bill is open to amendment.

Mr. LANGER and Mr. NEELY addressed the Chair.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. LANGER. I yield to the Senator from West Virginia.

Mr. NEELY. I thank the Senator, but I want the floor in my own time.

Mr. LANGER. Mr. President, I have listened with considerable interest to the Senator from Maryland. I agree with him that in general the purposes of the bill are fine. I agree with him that it is one of the most important bills ever to come upon the Senate floor. But I totally disagree with him as to two aspects of the bill. With respect to those aspects of the bill, I propose to offer amendments in the hope that we may be able to make the bill what it ought to be.

First of all, I call attention of the entire Senate to the report of the House committee, which, at page 6 thereof, says:

The report does not contain a full and detailed explanation of all of the provisions

of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

So, Mr. President, we have a situation in America wherein the House of Representatives passed a bill without having full and detailed information of the provisions of the bill, without, as a matter of fact, knowing exactly what the purpose of the bill was, and so far as I know—

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I decline to yield at this time. A little bit later, I shall be glad to yield to the Senator. I say that so far as I know, it is the first time in the history either of the House or of the Senate that any report contained the statement:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of highly confidential nature.

Mr. President, I ask every Senator, if he will, to compare the House report with the Senate report. It will be found that they are almost identical, with the exception of the three or four lines which I have just quoted. In other words, in the House there were a few Representatives who objected to the bill. By reading the proceedings of the House yesterday it became apparent that those Representatives resented the fact that they were asked to vote for a bill which had not been reported to them in its entirety, a bill as to which there was some secret, confidential information they had not obtained. The result was that when the Senate Committee on Armed Services submitted its report those four lines were eliminated.

What did Representative Celler, chairman of the House Committee on the Judiciary, say about the bill? I read from the debate in the House, on March 7, at page 1935, Mr. Celler's statement:

Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the lurid reasons? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on Armed Services. The Committee on Armed Services has nothing to do with immigration.

I may say, Mr. President, that I have here a copy of the La Follette-Monroney Act. That legislation was passed 2 years ago in order to give to each committee jurisdiction of certain specific matters. Act it is provided that the Committee on the Judiciary shall have exclusive juris-

diction of immigration and naturalization. The distinguished Senator from Maryland knew that, so he talked to the chairman of the Committee on the Judiciary. The distinguished Senator from Maryland is one of the ablest Senators upon the floor. He made a long and extended argument in favor of the La Follette-Monroney bill. He knew that the chairman of the Armed Services Committee had no authority to write any law affecting immigration and had no authority to pass upon such a matter. It was a matter which was entirely and solely, first of all, within the jurisdiction of the Subcommittee on Immigration and Naturalization of the Judiciary Committee. Up to the present time the bill has not been referred to the Judiciary Committee.

I want to make it clear how differently committees function. In the Eightieth Congress the Committee on Post Office and Civil Service unanimously reported a simple bill providing for reduced postage rates to Germany, Austria, Italy, and some other European countries. When we got through with it it was decided that the bill should go to the Committee on Foreign Relations. That committee, in turn, had to pass upon the proposition as to whether there was anything in the matter of lowering postage rates to some of the foreign nations which would be detrimental to our foreign relations.

We have in the pending bill a brand-new section, one which, according to my recollection, was not in the bill a year. It is exclusively, fully, and completely within the jurisdiction of the Immigration and Naturalization Subcommittee of the Judiciary Committee, and at no time was it ever referred to that committee.

Representative Celler concluded with his speech as follows:

Now this provision I have read out about the window, at the discretion of the Attorney General, all the legislative immunities and restrictions that we have built up over the years.

Representative Celler was absolutely correct. He said, further:

It throws them to the winds, and if the Attorney General and the Director wish to admit Fascists, Communists, Hitler radicals, morons, moral perverts, syphilitics, or lepers, they can do it. I think the House ought to know what it is legislating about, and I think, in a measure, this indicates how the cold war is unhinging the nerves of some of our high military authorities. The secrecy, especially the brand we are treated to, is ridiculous. Secondly these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whither we are going. The military is not infallible. Witness the situation of the charges levied by the military intelligence against one Agnes Smalley recently, that she was a Communist, or a Russian spy, and instead of retracting when they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision which should be stricken from the bill or, if it is not stricken, certain safeguards added.

I have spoken briefly to advise the Armed Forces Committee to stick to its own knitting.

When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

Mr. President, I wish to invite attention to section 8 of the bill. I may add that I shall offer an amendment to strike out section 8. That section reads as follows:

SEC. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security on essentials to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the Immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any 1 fiscal year.

What is the situation, Mr. President? Two men, the Attorney General and the Director, can set aside the entire immigration laws of the United States. Already there are five or six million aliens in this country. Already the Attorney General and the Director of Immigration have advised our committee that they cannot find them all in order to get rid of them. We have had an example of kings, queens, princes, counts, dukes, and what not, chasing over to England, and of the existence of governments in exile there. Already some have chased over to the United States. King Peter of Yugoslavia was riding in Connecticut, going at the rate of 70 or 80 miles an hour, when he was arrested for speeding and endangering the lives of persons along the highway. He claimed immunity. He said, "I cannot be arrested." The police of the State of Connecticut released him. A few nights later he was in a place in New York called the Stork Club. I discussed this incident with my distinguished friend from Maryland. He said he was thoroughly familiar with the Stork Club. It so happens that I am not familiar with it. I do not know how large a place it is, but it seems they have certain favorite tables in that club. At any event, when the ex-King of Yugoslavia dropped in, he was not given the best table. He was given what he thought was a second-best table. So he started a rumpus, and, as I remember, the police were sent for and the manager of the Stork Club stood firm and said he would not take the table away from the people who occupied it and give it to the so-called King of Yugoslavia.

There is nothing to prevent all the ex-crown princes and persons of so-called blue blood or royal blood, with whose names I am not familiar, but whom my distinguished friend from Maryland knows by heart—he knows some of them by their first names, I found in discussing the matter with him—there is nothing to prevent their coming in at any time. They do not have to enter as other individuals do. All they have to do is to get the Attorney General and the Director to say, "Come on in. They do not have to obey a single law which we have

passed in order to protect citizens of the United States.

When this bill was before the House, another Representative had much to say about it. Before I take that up, I repeat what I have already said, I intend to offer an amendment to eliminate section 8. If the proponents of the bill want section 8, if they want to have the power to let a hundred people come into the United States, and if they are people who for national security reasons should come in, I have not any objection to having a separate bill introduced and presented to the proper committee, and with proper safeguards we can see that people who will help the United States can get into our country in 24 hours, as the report made by the Committee on Armed Services says they want the law to be.

Why stick in this section 8? It is stuck into a bill where it has absolutely no right to be. It is stuck into a bill which deals with contracts, into a bill which provides that the Director of the Central Intelligence Agency may make contracts involving up to \$1,000, that he can buy things in an emergency, and all that sort of thing. Then out of a clear sky they stick in section 8, providing that 100 people may be admitted without regard to the immigration laws of our country.

Mr. President, both the distinguished Senator from Massachusetts and the distinguished Senator from Maryland a few moments ago stated that this bill had nothing to do with the internal affairs of this country at all, that it dealt only with territory outside the continental United States. Let me read subdivision (B) on page 7:

While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the agency or elsewhere, but the time of such work or duties shall not be counted as leave.

The Senator from Maryland says that what is provided for in the bill is being done now, that the Navy and the Army and other branches of our Government have thousands of these people. I have not the least objection to taking all of them and putting them under the Central Intelligence. I have not any objection at all to that being done, and the cost to our taxpayers being reduced, provided the people do their work outside this country, just as was alleged a few moments ago by the distinguished Senator from Maryland is being done.

Mr. TYDINGS. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield to the Senator from Maryland.

Mr. TYDINGS. I share the Senator's concern, and I am glad he wants to be reassured in reference to this matter. But let me correct the Senator. I never said that the Army and the Navy had thousands of men engaged in this service. So far as I know, the Army and Navy have no one engaged in it.

To come down to the point the Senator raises as to paragraph (B) on page 7, that will apply only when the agents are brought back for reorientation to be told what their new tasks shall be. While they are on leave they may be

called to Washington and assigned to a new task, given training in the new task, and then sent out. They do no work in the United States, but they do have to come back to be indoctrinated into all the difficulties which will confront them when they take up a new task. That is the only purpose.

I know the Senator may not agree with me, but he knows I would not deceive him in any sense of the word as to this bill or any other matter, and I can assure him, after thorough investigation, that none of these agents will work at all in the United States. The only time they will do anything here is when they come, either on leave to visit their families, or come back, if they are changing their stations, to be reindoctrinated.

Mr. LANGER. The Senator said that the Army and the Navy had none of these people here, yet he told us not half an hour ago that all the work that is contemplated by the bill is being performed here now by agencies. What are those agencies?

Mr. TYDINGS. It is being performed by the Central Intelligence Agency, which is a branch of the National Security Council. It works under the National Security Council. It advises the President.

Mr. LANGER. The Senator knows that we have a Naval Intelligence, and he knows we have a Military Intelligence.

Mr. TYDINGS. If the Senator will permit me to complete my answer, he has gotten the two things confused, understandably. Army Intelligence deals primarily with logistics. We know how large a certain army is, we know how large a certain navy is, we know how many airplanes another country has, we know how many trucks he has. Naval Intelligence deals primarily with navies, or the logistics of moving or dealing with armaments in the hands of a possible enemy. The organization we are here concerned with is primarily established to find out what the intention of a possible enemy is, what he is doing, what he is concealing, his movements, what the people in the foreign country think and assorted information of tremendous value on a military plane.

There are none of these agents who work in the United States. I hope the Senator will take my word for that. We went into that subject very thoroughly in the committee, and all this work is completely outside the United States, except for the indoctrination which must take place whenever an agent is sent into a new field.

Let us suppose an agent is being sent to Country X. He has to be told what he is to do in Country X, he has to be told what the customs are in Country X, he has to be furnished with a variety of information so that he can work there unobserved and obtain information, and, to tell the truth, so that he will not be killed, as in some cases men have been killed. The reason why there must be secrecy is that we do not want men to lose their lives, and I regret to tell the Senator from North Dakota that some men have already lost their lives in this service. I make that admission



regretfully, and we want to make provision so that others will not lose their lives.

When men undertake this character of work, they take it on the understanding that they may not come back, because in some cases when they are caught they are put to death. We might as well say that on the floor of the Senate. We are dealing with the lives of men who are in this service, and for that reason there has to be a great deal of secrecy thrown around the work.

Mr. LANGER. Mr. President, I repeat what I said at the beginning of my argument, that I agree fully, completely, entirely, absolutely, and wholly with the desire to protect the lives of these people working for our Government. I believe in national security.

Let me read what Mr. SASSER said about the purposes of the bill in the House of Representatives. I read from his statement:

Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947.

Now I wish to ask the Senator from Maryland a question.

Mr. TYDINGS. Will the Senator allow me to make an observation before he asks the question?

Mr. LANGER. Certainly.

Mr. TYDINGS. I should like to tell the Senator that the Senator from Maryland was fortunate enough to have a boyhood friend who had charge of some of the most difficult and important work undertaken in this line of activity during the war, and I have perhaps heard more of the ramifications of this service than any other man in Congress, because I had the good fortune to sit at the feet of this particular individual, and I have heard him tell many things that happened, and the difficulties encountered. So I have a little more concern than I would have, had it not been for this personal experience. It is only out of abundant caution, knowing how a little thing disclosed may put an agent in a very difficult place, that the Senator from Maryland has striven to be cautious in what he has said.

Let me say a further word. Suppose a man is a citizen of country A. Suppose he comes to our representative and says, "I am a citizen of country A, but country A does not like your country. I do like your country. I should like to work for your country." Suppose that man is working in some official capacity in country A, and we employ him, and get information we may desire. If that man were to be detected he must know in advance that he can come to the United States, that he can escape, and secure asylum here. Otherwise, on his return, he will be confronted with the general laws of the country and that means his death. So if we are going to ask people to assume this

dangerous work we will have to give them the assurance that we will stand behind them in the event they are threatened with the loss of their lives if they are detected while working for our country.

Mr. LANGER. Mr. President, I agree with every single word the Senator from Maryland has said. I repeat, however, that I agree also with the distinguished chairman of the House Committee on the Judiciary, Representative Celler, when he said, on the question of immigration:

On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision, which should be stricken from the bill, or, if it is not stricken, certain safeguards should have been added.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Let me say to the Senator from North Dakota that no one can come into this country under the bill except with the approval of the Attorney General, who already has supervision over the immigration laws, and of the Secretary of Defense. A person cannot wait to secure a visa when his life is threatened. A man who undertakes this dangerous work wants to know that he can come into the United States on 2 minutes' notice; that he will be identified and given asylum here. He will not undertake such work unless he knows that, if he is detected and wants to flee for his life, there is an open door into this country for which he is risking his life to serve, and that he will not have to go through the red tape of securing a visa. Let me tell the Senator that every government on earth makes provision of this sort for men who work in the secret service.

Mr. LANGER. Mr. President, again I assure and reassure and re-reassure the distinguished Senator from Maryland that he and I are in complete agreement on the matter of allowing entry to whatever number of persons may be necessary; but, nevertheless, I agree with the distinguished chairman of the House Committee on the Judiciary when he says:

This particular provision . . . should be stricken from the bill, or, if it is not stricken, certain safeguards should have been added.

Section 8 does not protect the people of the United States from having a group of Communists or Fascists, or whatever they may be, come into this country. Section 8, which in a proviso permits the entry of 100 persons a year, provides:

Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations.

Mr. President, I submit there is nothing in the bill which gives us any juris-

diction over these persons after they get into our country. When they come here they are on an absolute par with the distinguished Senator from Maryland. They can go wherever they want to go, they can do what they want to do. There is no provision that they must make reports. There is no provision for following them up. That is why I say that, agreeing as I do with the distinguished Senator from Maryland, I believe we should place some safeguards in section 8, or else keep such aliens out of the country.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. In the first place, I believe the Senator has covered a great deal more territory than the fact in the bill warrant. For example King Peter, and all the princes and dukes and other royalty who visited the United States during the war came in under State Department visas, and they have nothing more to do with this bill than I have to do with the Chinese Communist Government at this moment. They all came to the United States when there was no Central Intelligence Agency in existence. They all came here under State Department visas. We are not in this bill dealing with any such attention. Anything of that nature is as far from this date as Siam is from North Dakota.

Let us get down to the meat in the coconut. What greater safeguard would the Senator want than to require that the Director of the Central Intelligence Agency, who is charged with the security of the country so far as intelligence is concerned, and is certainly not going to permit anyone to come into the United States who might endanger the security of the Government, and the Attorney General of the United States, who is charged with enforcing the law, shall make the determination? Would the Senator from North Dakota feel more assured if we put the President in it, too?

Mr. LANGER. I might say to my distinguished friend from Maryland that if we had another Attorney General like Harry Daugherty, I would not want him to pass on anything, even a dog coming into this country. We have had an Attorney General of that kind.

Mr. TYDINGS. We have had Senators and Representatives and even Presidents who have not been all we would hope they should be.

Mr. LANGER. We have immigration laws to take care of the admission of aliens. Under our immigration laws safeguards can be placed around the entry of these 100 people. I want the immigration laws of the country enforced, or, if necessary, so changed as to provide safeguards when these hundred individuals the Senator wants excepted, are admitted into the country.

Mr. TYDINGS. How would the Senator do that?

Mr. LANGER. I would have the section submitted to the Committee on the Judiciary and to the Immigration and Naturalization Service.

How would I get the people into the United States immediately and at the same time throw the

safeguards he desires around them and around us?

Mr. LANGER. I would do exactly as the chairman of the House Committee on the Judiciary, Representative Celler, said we should do. He suggested the way safeguards should be placed around us.

Mr. TYDINGS. What are they?

Mr. LANGER. I would call in the Director of Immigration and Naturalization and ask him what is necessary to be done in order to carry out the committee's recommendations. The Armed Services Committee did not do that. There are no safeguards contained in the bill at present.

Mr. TYDINGS. Oh, yes; the Attorney General and the man who is charged with securing the information to safeguard the United States of America certainly are not going to let come into the country someone who wants to do harm to the United States of America. The trouble is that Mr. Celler is looking upon this sort of activity practiced by all governments as if it were a regular, open, above-board, orthodox, give-and-take procedure. This is one of the things which ought not to be practiced by any government, but which every government has to practice in self-defense. It is somewhat like war. No country ought to make war. A war is the most outrageous crime human beings have ever put their hands to. But so long as people are threatening to make war on us we have to be ready to protect ourselves. That is the philosophy of the bill. The lives of our men overseas in many cases depend on this bill having enough elasticity to it so it can serve the purposes of the security of the country without any undue delay. It may be the Senator's son or my son or someone else's son who is dependent upon the information which the Central Intelligence Agency will assemble for the protection of our troops.

Mr. LANGER. Mr. President, we are not at war at the present time. Representative Celler yields to no man in patriotism. I have known "MANNY" Celler for over 30 years. For 24 years he has been a Member of the House. For 24 years he has been a member of the Committee on the Judiciary of the House. When "MANNY" Celler says there ought to be safeguards placed in the law before 100 aliens are permitted to come into the country, I take the word of Representative Celler, the chairman of the House Committee on the Judiciary. He is an outstanding patriot. He is an honest gentleman, with a world of experience.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. I should like to say that I have served with Mr. Celler in the House of Representatives. I became a Member of the House of Representatives and Mr. Celler became a Member of the House of Representatives in 1922. My relations with him and affection for him and respect for him are of the very highest order. What I say is said with no reflection on him. But when the bill passed the House, after Mr. Celler had made his speech, from which the Senator has read in part, the

vote was 348 in favor of the bill and only 4 against the bill. Let me say to the Senator that if this had been an immigration matter per se Mr. Celler would have secured 348 votes in support of his position, and only 4 votes would have been against his position. This is not an immigration matter. It has nothing to do with immigration per se. This is asylum for military agents who are working for the United States, and who are faced with death if they are caught. We simply tell them in advance that if the Director who employs them, and the Attorney General, who is detached from the Director, approves it, if they are detected and their lives are in danger they may come into the United States. After that, they are just the same as anyone else. They have no immunities or privileges.

Mr. LANGER. Mr. President, the argument that this bill has nothing to do with immigration is the sheerest nonsense. Again I quote Mr. Celler. At the end of his talk he said:

I have spoken briefly to advise the Armed Services Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

That is the statement of a man who has been a Member of the House for 24 years.

Mr. President, I invite attention to page 7 of the bill, subparagraph (B), which reads as follows:

While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

The services of such officer or employee are not to be used in this country. This bill deals with activities outside continental United States.

Mr. TYDINGS. That is correct.

Mr. LANGER. If that be true, would the distinguished Senator be willing to accept an amendment in line 4 on page 7, after the word "shall" to insert the word "not" and strike out lines 6 and 7?

Mr. TYDINGS. Will the Senator read the language as it would then be?

Mr. LANGER. It would read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

Mr. TYDINGS. I would accept that amendment with one qualification, and that is that they can receive training here. If the Senator will exclude training, if his language is broad enough so that training and indoctrination are not included as work, I shall be delighted to accept the amendment. I do not want to tie up the situation so that when they get to the United States they cannot receive any training or indoctrination. They are working then, but they are not working on espionage in the United States.

Mr. LANGER. Again I agree with the Senator from Maryland 100 percent.

Mr. TYDINGS. Let us adopt language which will accomplish that purpose.

Mr. LANGER. I have the amendment prepared.

Mr. TYDINGS. Work would include work in the department. If the Senator wants to say that they cannot work in

the United States or receive pay while they are here for indoctrination and training, his language is most unfortunate. I am with the Senator in theory, but his language goes further than his theory.

Mr. LANGER. I am taking the language in the bill. With my amendment, the language would read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

Mr. TYDINGS. Let me show the Senator, in good faith, what he would do by his amendment.

Mr. LANGER. I am not through.

Mr. TYDINGS. If the Senator will lay aside his pride of authorship for a moment, and listen to me—

Mr. LANGER. I am delighted to listen to the distinguished Senator as long as he wishes to talk.

Mr. TYDINGS. I do not wish to take long. However, the language would read as follows:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

He could not even go to the central agency and work there. Does the Senator want to say that?

Mr. LANGER. I would not object to his working in the agency, but I do not want him to work elsewhere.

Mr. TYDINGS. I ask the Senator to read his own amendment, and see if it does not exclude work in the agency.

Mr. LANGER. The distinguished Senator just said—

Mr. TYDINGS. I cannot accept an amendment of that kind.

Mr. LANGER. Suppose the distinguished Senator drafts the amendment.

Mr. TYDINGS. I think the language is all right as it is. I am not complaining.

Mr. LANGER. The Senator said he would accept the word "not."

Mr. TYDINGS. I said that I would accept the word "not" assuming that it allowed the man to work in the agency, and allowed him to be trained in the United States.

Mr. LANGER. We can meet that difficulty very simply by adding the word "except."

Mr. TYDINGS. Will the Senator read the language as it would be with the word "except"?

Mr. LANGER. It would then read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency, and for training.

Mr. TYDINGS. How about orientation schools?

Mr. LANGER. Let us put that in.

Mr. TYDINGS. If the Senator will complete his amendment, I am willing to accept an amendment which is concise and clear, and which does not include the orthodox work of these agents within the continental United States. In my opinion, that is what the present language does.

Mr. LANGER. Let me say to my distinguished friend that no doubt he is familiar with the fact that in the debates

in the House the claim was made that when these men come back they will be used to break up labor unions. I do not believe it.

Mr. TYDINGS. Let me tell the Senator how that foolish idea originated. Let us assume that a laboring man is a part of this organization, and that we want to send him over to Germany, for example. Let us assume that he speaks German. He may never have had any affiliation with a labor union. He is going to associate with men both in and out of labor unions. Obviously he would have to be sent where labor unions meet and discuss questions, and where they act, so that he could get the feel of the situation, and so that he would not be like a sore thumb sticking out when he reached a foreign country. He would need to know the techniques, the lingo, the habits, and so forth, of those who are labor-union men, in order that he might be an efficient, undisclosed officer gathering information, without any idea on the part of those who would give it, that the information was being imparted to our Government.

Mr. LANGER. I fully agree with what the distinguished Senator says.

Mr. TYDINGS. I do not believe that the Senator can improve very much on the bill. The very questions which he has brought up have been thoroughly canvassed and considered by the committee. The exact language which we have accepted has been adopted as safeguarding our internal affairs while giving the widest scope to the agents in the external field.

Mr. LANGER. The Senator may be correct—

Mr. TYDINGS. We have been all over this question in great detail. Witnesses have been interrogated at great length. The hearings have been extensive. We have considered every phase of the problem. The Senator has not heard the testimony. Neither has Mr. Celler. He did not attend one of the hearings—and properly so, because he was not supposed to attend them.

Mr. LANGER. The Senator's argument sounds very strange to me, after the experiences which I have had on committees. For example, take the pay bill. After more than a month of hearings last year, although the distinguished Senator from Maryland and some of his colleagues were not present at the hearings, they offered amendment after amendment. What is there sacred about this bill, that it cannot be amended? It is the same as any other bill. I think I have a good amendment.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Let me say to my friend from North Dakota that there is a great deal of difference between amending a pay bill and dealing with an extremely sensitive and secretive function of Government which has to do with the lives of men, not in wartime, but in peacetime. When we find that a man who has undertaken this work has not returned, but has been destroyed, we are not very anxious to do something which will result in the destruction of the next

man who comes along to carry on the task from that point.

I have already said much more in this debate than should be disclosed. I think this debate is unfortunate. I think it ought to be in executive session. I think there is a great deal of meat in what must be said here in order to get the bill through, which is serving those who are not friends of the United States. This is one time when there ought to be secrecy. The whole atmosphere of the bill is secrecy. I regret that in answer to the Senator's questions I have been forced to disclose as much as I have disclosed. We are not serving the United States or the brave men who are going forth under all kinds of difficulties to help to place the security of our Nation beyond peradventure.

Mr. LANGER. Mr. President, I yield to no man, including the distinguished Senator from Maryland, in patriotism. However, I will never stand on this floor with a report and say, "We are not reporting everything to this body which should be reported. We are keeping some of it back." The time has not yet come, during a period when we are not at war, when we cannot discuss any bill upon the floor of the Senate. So long as I am a Member of this body, whenever any proposal for appropriations is brought before us, or a bill to draft the boys from the farms, or any other kind of bill, I will not stand idly by and say, "We cannot discuss it."

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Does the Senator think we ought to tell how many men we have in this service?

Mr. LANGER. I did not ask the Senator any such question.

Mr. TYDINGS. Does the Senator think we ought to tell their names and ages?

Mr. LANGER. The Senator knows very well that I did not ask such a question.

Mr. TYDINGS. It might be pertinent information.

Mr. LANGER. It might be, but I have not asked such foolish questions.

When it comes to creating an agency, I see no harm in seeing to it that the wording of the bill is right. I for one am not going to take any chances without a protest, even though I vote alone, against the establishment of a Gestapo in the United States by which people may be hounded and harassed by a central bureau, or by anyone else.

I know the fine mind of the Senator from Maryland, and I know what a big heart he has. I know how patriotic he is. He is one of the few Members of this body who has received the highest medal that it is possible for a man in the United States to get.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KEFAUVER in the chair.) Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. LANGER. I yield.  
 Approved For Release 2002/10/16 : CIA-RDP90-00610R000100240001-0  
 good friend, the Senator from North Da-

kota—and I hope he will forgive me if I appear a bit vain in what I am about to say—that military and scientific developments have reached such wide ramifications today that it is not always possible to give to the Senate the detailed information in regard to many things which we would be delighted to give to the Senate or to have Senators who are not on the committee know if they could come to the hearings where we hear those things.

My reactions were exactly the same as those of the Senator from North Dakota when I first approached this bill. But if my judgment is worth anything—and in making this statement I am carefully measuring my words—I wish Senators to know that in my opinion this bill is carefully worked out. Every safeguard which could possibly be put into it without destroying its purpose has been put into it. Our committee is unanimous about the bill, not because we are in favor of espionage, for we are opposed to it, but because we hope it will not occur.

So I hope the Senator from North Dakota will not suggest the amendments he has indicated, because in my judgment they would do the bill more harm than any good whatsoever which they could possibly do.

Mr. LANGER. If we leave paragraph (B) the way it is, it would do the country a great deal of harm. It now reads:

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the agency or elsewhere—

And so forth. Mr. President, my distinguished friend, the Senator from Maryland, has not had the experience I have had with being hounded by Mr. Ickes' men, when he was Secretary of the Interior—when, as Governor of the State of North Dakota, I had men following me all over the United States, and my telephone in the Governor's office was tapped, and my desk in the Governor's office was broken into by men whom Harold Ickes had snooping around trying to "pin" something on me—and when similar things happened to the Republican lieutenant governor of Iowa, for such attempts were likewise made to "pin" something on him.

So I say to the Senator from Maryland that, in my judgment, the bill as now written would enable this agency to send its men inside the United States, into places inside the United States, for nothing in the bill would prohibit that. The only way that could be prohibited would be by inserting the word "not" in the bill at the point I have indicated.

Frankly, Mr. President, I cannot see any objection to such a change in the bill. If we make that change, paragraph (B), on page 7, then will read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave.

It seems to me that is an amendment the Senator from Maryland, should, in good faith and good

conscience, accept; and I believe it would entirely do away with the charges which were made in the House of Representatives—that these men might possibly be used to break up labor unions or for some similar purposes.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. LANGER. I yield.

Mr. TYDINGS. Of course, the Senator from North Dakota appreciates that I, as chairman of the committee, could not accept the amendment without breaking faith with the other members of the committee, who have not authorized me to do so.

I would say to the Senator from North Dakota that, as he has finally modified the amendment, he has made it a great deal more palatable. I cannot vote for it, but perhaps the Senate will agree with the point of view of the Senator from North Dakota. I hope the Senate will not, because I do not think the amendment is necessary. But I say that the Senator from North Dakota has made the amendment much more palatable now than it formerly was.

Mr. LANGER. Mr. President, I wish the Senator from Maryland would accept the amendment, because it is fundamentally right.

Mr. TYDINGS. Mr. President, I say to the Senator from North Dakota that I should like to have him repeat the amendment.

Mr. LANGER. Certainly. It is as follows:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave.

Mr. TYDINGS. Mr. President, I will take the amendment to conference. Of course, I do not like to be a party to any deception and I point out now that the amendment is new. It is worthy of thought. The Senator from North Dakota has made a real effort to interweave his philosophy with the exigencies and dangers involved in this whole proposition.

I will not promise that the amendment will come out of conference; but the Senator from Maryland will do his best to see to it that the amendment receives adequate consideration along the lines the Senator from North Dakota has mentioned.

Mr. LANGER. Mr. President, I am very grateful to the Senator from Maryland.

Now let me ask about section 8. What can we do there to meet the objections of Mr. Celler? I refer now to section 8 on page 12.

I may say to the distinguished Senator from Maryland that I know that provision is not right.

What I shall mention now may have no bearing at all upon this particular piece of proposed legislation, but I wish to call the attention of the distinguished Senator from Maryland to a statement by Chaplin.

The PRESIDING OFFICER. Will the Senator from North Dakota permit the Chair to interrupt long enough to ask whether a vote is to be taken on the amendment which already has been stated.

Mr. TYDINGS. Mr. President, the Senator from North Dakota has not yet offered the amendment. I hope he will offer his first amendment now, so that we may dispose of it.

Mr. LANGER. Mr. President, at this time I offer the following amendment to the pending measure: On page 7, strike out lines 3 to 7, inclusive, and substitute the following:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave.

Mr. TYDINGS. Mr. President, I accept it, with the understanding that I will take the Senator's amendment to conference, if it is adopted, for further consideration, but that I do not feel bound to insist upon it if in the light of further consideration I feel that we cannot take it; but I accept it in good faith, and will attempt to see that it is given every consideration in line with the Senator's philosophy.

Mr. LANGER. Again, Mr. President, let me say that I am very grateful to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, let me inquire about the other amendment the Senator from North Dakota has in mind.

Mr. LANGER. I have in mind an amendment to section 8, on page 12. I would offer an amendment to it.

Mr. TYDINGS. I am afraid I cannot accede to that.

Mr. LANGER. I was going to suggest that somewhere in that provision we could insert the safeguards which Mr. Celler requested, perhaps included the words "shall be provided by the Bureau of Immigration."

Mr. TYDINGS. Of course, that comes under the Attorney General. The Bureau of Immigration is under the Attorney General's Office under the new Reorganization Act.

Mr. LANGER. That is correct.

Mr. TYDINGS. If the Senator from North Dakota would like me to add: Whenever the Director and the Attorney General or the head of the Bureau of Immigration.

I would be inclined to go that far, in order that the Immigration authorities might be put directly on notice.

Mr. LANGER. Does the Senator from Maryland mind changing that to read "or under rules and regulations provided by the Bureau of Immigration"?

Mr. TYDINGS. I do not think that could be done, for the considerations involved would be so divergent.

But I think the Bureau of Immigration would be a better authority than the Director and the Bureau of Intelligence dem-

onstrated that it was rather imperative that he be permitted to come in.

Mr. LANGER. Perhaps so.

Mr. TYDINGS. Mr. President, on behalf of this compromise arrangement, I ask that we consider an amendment, as coming from the Senator from North Dakota, as follows:

"Strike out the first two lines of section 8, on page 12, as they now appear, and insert 'Whenever the Director, the Attorney General, and the Commissioner of the Immigration Service shall determine that the entry of a particular alien into the United States,' and so forth. What the amendment does is simply to add the Commissioner of the Immigration Service. The Senator from North Dakota wants to make sure that the immigration authorities are apprized directly of the action that is proposed to be taken.

Mr. LANGER. And, I may say, would know who the alien is, and would make a record.

Mr. TYDINGS. I would accept that amendment if the Senator will offer it now, and ask for a vote.

Mr. LANGER. I offer the following amendment: On page 12, strike out line 17, and in line 18 strike out the word "General", so as to make it read:

Whenever the Director—

Mr. TYDINGS. "And the Attorney General."

Mr. LANGER. "And the Attorney General"——

Mr. TYDINGS. "Or the Commissioner of Immigration."

Mr. LANGER. "Or the Commissioner of Immigration shall determine."

Mr. TYDINGS. I want the Senator from North Dakota to understand that in accepting the amendment and taking it to conference, he realizes I have not had the chance to give it all the thought that ought to go into any change, but I am accepting it in good faith. We will consider it in conference, but if it does not come back in the bill, I hope the Senator will not charge me with failure to carry out any agreement.

Mr. LANGER. The Senator from Maryland is the last person in the world I would charge with failure to carry out an agreement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. JOHNSON of Colorado. Mr. President, just a moment. The Senator from Maryland read the amendment one way, and then it is being changed, and a very serious change is being made.

Mr. TYDINGS. I read it "or."

Mr. JOHNSON of Colorado. Yes. "Or" is a far different word from "and." It will not mean anything if the word "or" is used. There would be no change in it whatever, if it is amended to read "or."

The PRESIDING OFFICER. The clerk will state the amendment again for the information of the Senate.

The LEGISLATIVE CLERK. On page 12, in line 17, it is proposed to strike out the word "General" and insert a comma; and in line 18, after the word "General," it is



MAY 27

proposed to insert the words "or the Commissioner of Immigration."

Mr. TYDINGS. I ask that the word "or" be stricken out preceding "the Commissioner of Immigration," and the word "and" inserted.

The PRESIDING OFFICER. The clerk will restate the amendment, as modified.

The LEGISLATIVE CLERK. On page 12, in line 17, it is proposed to strike out the word "and" and insert a comma; and in line 18, after the word "General," it is proposed to insert the words "and the Commissioner of Immigration."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER], as modified.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, I hope we can now have the bill passed.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

Mr. JOHNSON of Colorado. Mr. President—

Mr. TYDINGS. Mr. President, I do not think the Senator from North Dakota desires to bring up any other matters. These are the only two matters he discussed. The Senator has left the floor. I shall keep talking for a minute or two if I have the floor, until the Senator can be contacted and asked whether he has any other matters he wants to bring up.

Mr. JOHNSON of Colorado. If the Senator does not mind, and if he has nothing else he wants to say, I shall be glad to speak for a minute or two, because I have a few thoughts to express.

Mr. TYDINGS. I shall be delighted to yield. I was only making a suggestion, so we would not take advantage of the absence of the Senator from North Dakota, in the event he had not finished.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. JOHNSON of Colorado. I wished to propound a question to the Senator from North Dakota, and I hope the Senator from Maryland will remain.

Mr. TYDINGS. I have not had luncheon yet. If it is going to take long, I think I should like to get a sandwich.

Mr. JOHNSON of Colorado. I am not going to talk very long. I assure the Senator I shall be very brief.

Mr. TYDINGS. I will remain.

Mr. JOHNSON of Colorado. I shall speak briefly, and I hope very much to the point. I trust the Senator will realize my anxiety about this legislation. I do not want to keep him from his luncheon, and I apologize to him for not having been here sooner, as I had intended to be, to hear his explanation and his argument on the bill, but I could not.

Mr. TYDINGS. I have just received word that, with the amendments adopted, the Senator from North Dakota has nothing more to say about the bill.

Mr. JOHNSON of Colorado. That is fine. I do not know whether I can join the Senator from North Dakota in approving the bill with these amendments or not, but I do want to make a brief statement. I regret very much that I have not heard the discussion on the

bill, but as I read the measure, it is very radical legislation. I do not know of any legislation passed by Congress which is so sweeping and which goes so far as this legislation does, except the legislation pertaining to atomic energy. I know I should feel a great deal better had the bill been referred to the Committee on the Judiciary and that committee had given attention to the sweeping provisions contained in the bill. Doubtless few Senators on the floor have the same fear of military fascism that I have; I doubt whether they have. I know that very few of us seem greatly concerned that 34 percent of all our taxes, all of our revenues, goes to the Pentagon Building. To me that is a very disturbing thing.

Perhaps I am entirely wrong; perhaps I do not comprehend the significance and effect of the pending legislation, but as I understand we are setting up in this country a military gestapo. I recall very well an argument made in this Chamber by the late Senator Norris, of Nebraska, away back in 1940. It impressed me deeply. He was arguing against the Congress of the United States setting up a gestapo in this country. I do not agree with what the Senator said in his references to the FBI, because I think the FBI has been a splendid organization, which has made a tremendous contribution to check crime and I should not want to do anything to curtail its operation. But I feel very certain that if Senator Norris were on the Senate floor today he would rise in his place to argue against the sweeping powers which are being vested in the military through this piece of legislation.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. TYDINGS. I may say to the Senator that I share every thought he has expressed about the inadvisability, the lack of necessity, and the unwarranted institution of any kind of gestapo, military or otherwise, in this country. The pending bill, as I said in my opening statement, has nothing to do with the internal affairs of the United States of America. All these men work outside the United States of America, and the bill so provides. They cannot work in the United States of America. Their functions are exclusively in foreign fields, and they are gathering, by close examination, information which it is deemed necessary for our country to have, as to where this or the other thing is going on, and as to what is taking place, so that we can make our plans accordingly. I am glad to reassure the Senator that our committee had the same thought he has so well expressed, and that there is nothing in the bill to permit internal military espionage in our country by agents constituted in the Military Establishment.

Mr. JOHNSON of Colorado. It is very comforting to have the Senator make that statement. I may say I did not know the bill was coming up today. I knew it was on the calendar, and I promised myself faithfully that when I could get to it I would make a study of it and try to understand what its purposes are

and what the effect of its language might be. But I have not had that opportunity. Perhaps it is all my own fault, and I regret it.

Mr. TYDINGS. I know the Senator is busy. I would say to the Senator from Colorado that the members of the Committee on Armed Services approached this proposition impelled by the same philosophy which the Senator from Colorado has expressed. We were perfectly willing to provide the Military Establishment with agents who would help in gathering pertinent military information in foreign fields. We were not willing to provide the military or any other establishment with agencies which would work in the United States in connection with our own people. There is nothing in this bill which touches the United States or is intended to touch the United States, except, of course, the headquarters are located here. The men must be told here what their missions are, and they must be given their instructions here, but the duties they perform are not performed in this country.

Mr. JOHNSON of Colorado. That reassures me completely.

Mr. TYDINGS. I know it does. Without that assurance, let me say that the Senator from Maryland would not be on this floor advocating the passage of the bill.

Mr. JOHNSON of Colorado. I have advocated for a long time that we develop our military information agencies so that we might better know what is going on all over the world. Of course, I would not want to do anything that would handicap in the slightest the agencies which we select to go over and to ferret out what is taking place all over the world. I realize the tremendous importance of this legislation. The Senator's remarks have completely satisfied me, and I shall vote in favor of his bill.

Mr. TYDINGS. I measured my words in making the statement. It is not our intention and it is not the intent of the language which we have adopted to make possible the things which the Senator has a right to fear in lieu of a closer examination. We have tried by testimony, by interrogation, and by the language of the bill to do exactly what the Senator wants done, and to stop right at the water's edge.

Mr. JOHNSON of Colorado. The reason, then, that the bill has not been sent to the Committee on the Judiciary is because it would not affect in any way justice within the United States. Is that correct?

Mr. TYDINGS. That is correct. It has to do with purely military intelligence, and with no other kind of intelligence at all.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I want to ask the Senator from Maryland with reference to paragraph (a) of section 6, on page 10 of the bill. I read it:

"The Secretary of War shall receive from other Government agencies such sums as may be approved by the Bureau of the Budget for the performance of any of the functions or

Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

activities authorized under sections 102 and 303 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred.

Mr. TYDINGS. Would the Senator like to have my explanation of that?

Mr. McKELLAR. I doubt the wisdom of that provision. The Committee on Appropriations appropriates specifically for every department of the Government. It has been found to work extraordinarily well. I am in favor of the bill; I am not opposed to it, but I think it would be safer and better—

Mr. TYDINGS. Would the Senator like me to tell him why that language is written into the bill?

Mr. McKELLAR. Yes, I would.

Mr. TYDINGS. If this were a normal function of the Government, like, for instance, building a bridge, or buying an airplane, or providing for reforestation, or for the construction of a dam, the Senator's observation would be a very good one. But let me tell the Senator that the men who work in this particular field frequently lose their lives. As a matter of fact, to the certain knowledge of the Senator from Maryland, several have already lost their lives, and not under very pretty circumstances, because, quite often, if they are deleted, they are forced to tell why they are there, and the picture is not a pretty one. If there are vouchers containing the names and the circumstances, going through Government channels, it might be possible for foreign-espionage agents to check on who the agents are through every conceivable source of information.

Therefore, if we should employ the same kind of accounting as would be employed in connection with building a bridge, strange as it may seem, expert men, skilled in detecting from little things the probabilities, are quite often able to detect who the agents are, and in that way they are tracked down and lose their lives. This is no ordinary bridge-building proposition. This is a matter of life and death, affecting men who are trying to do something to aid the security of our country and who take an enormous risk. The committee, after thorough consideration, determined that it would be better to have this general procedure followed in order to protect the men, rather than to follow the orthodox procedure, which might result in the loss of their lives. That is the reason why that language is in the bill.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall yield as soon as I complete my answer to the Senator from Tennessee.

I appreciate the observation of the Senator from Tennessee. Normally, it would be a most outrageous thing to proceed in this manner, but I think we owe these men every possible protection we can possibly give. Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

business. If we are to appropriate the necessary money, we have to do it in such a way as to "bring home the bacon," if we want our country to be secure, if we want to know how atomic energy is progressing in some other country, and what plants there may be.

I hate to discuss these matters on the floor, but there is no other way I can make the Senate have confidence in the bill than by discussing these things which I would rather not mention.

Mr. WHERRY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HENRICKSON in the chair). Does the Senator from Maryland yield to the Senator from Nebraska?

Mr. WHERRY. Do I have the floor, or does the Senator from Maryland have the floor? I would much rather the Senator from Maryland had it, so I could ask him some questions. I ask unanimous consent that I may ask a question or two regarding section 7 of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. I shall be glad to answer the Senator's questions.

Mr. WHERRY. The section reads as follows:

SEC. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the act of August 28, 1935—

Here is the point—

and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212, of the act of June 30, 1945.

Are we doing this now?

Mr. TYDINGS. Yes.

Mr. WHERRY. Then why is it necessary to have the legislation?

Mr. TYDINGS. I think it is a question whether or not the law is being winked at unless this bill is written into law. It is written now to effect a cure. It is a question as to whether we have the authority to act. In my opinion we have not the authority, but nobody is going to raise the question.

Mr. WHERRY. But we are actually doing what is provided for in the bill?

Mr. TYDINGS. Much of it.

Mr. WHERRY. Are we going to expand what we are now doing if we get additional authority?

Mr. TYDINGS. No.

Mr. WHERRY. The intention really is to implement what we intended to do under the skeleton act?

Mr. TYDINGS. The Senator has stated it exactly; the skeleton act was passed, and this clarifies that act.

Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

Armed Services Committee has submitted to the Senate appears a comment on section 7, to be found on page 4, as follows:

Section 7 exempts the Agency from the provisions of 5 United States Code 654, which require publication of personnel data in the Official Register of the United States. Section 7 also exempts the Bureau of the Budget from including in its public report to the Congress the Agency's personnel strength.

Does the section do any more than that?

Mr. TYDINGS. No.

Mr. WHERRY. That is all that is done, if we adopt this section?

Mr. TYDINGS. I am going to say something which the Senator already knows, but for the record. Our will perhaps be the only Government having a law providing for such an activity. Other governments simply appropriate a disguised sum of money, without any authority of law, to handle the whole matter through some government official. We are writing the whole law out. I regret we cannot proceed in any other way. If the Senate knew about the details, it might be willing to do as other countries do, but we do not do business that way. We are not doing what other countries do. We are throwing every possible democratic safeguard around it as we go along.

Mr. WHERRY. I want to be sure that the assertions made in the committee report state what we are doing when we adopt section 7, and that it is to exempt the agency from the provisions of law I have just mentioned.

Mr. TYDINGS. For national security only.

Mr. WHERRY. That is correct.

Mr. TYDINGS. I thank the Senator from Nebraska for his contribution.

Mr. WHERRY. I was a member of the Committee on Appropriations, with the distinguished Senator from Maryland, when we were asked for a huge appropriation for a purpose with which we were not familiar.

Mr. TYDINGS. A billion dollars.

Mr. WHERRY. Yes. It took much faith on my part, as one charged with a part of the responsibility of making appropriations, to agree to that. A billion dollars is a great deal of money. Yet we were told that it was in the interest of national security, and we asked no questions. Afterward, of course, we discovered that it was for the purpose of developing the atomic bomb.

Mr. TYDINGS. This is in the same category.

Mr. WHERRY. We are now extending the authority, and I wanted to have it made indubitably certain that section 7, which to me is the meat of the bill, is included for the purposes outlined in the committee report, and does not extend beyond that.

Mr. TYDINGS. In measured words, I can answer the Senator in the affirmative.

The PRESIDING OFFICER. The bill is still open to amendment. If there be no further amendment to be offered, the question is on the engrossment of the bill and on the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2663) was read the third time and passed.

#### RECIPROCAL TRADE AGREEMENT POLICY

Mr. MALONE. Mr. President, when the 1934 Trade Agreements Act comes before the Senate for the proposed 3-year extension, I intend to offer the flexible import-fee bill, which I am today placing before this body as a substitute policy. I ask unanimous consent to introduce the flexible import-fee bill, and to have it printed in the body of the RECORD. The flexible import-fee principle establishes a clear-cut American policy which would provide a definite basis for cooperation among the nations of the world and a definite market for foreign goods in this country.

#### THE THREE-PART "FREE TRADE" PROGRAM

As a result of the administration's three-part "free trade" program, under which we are openly encouraging a large increase in imports from the European countries and urging them to become self-sufficient within and among themselves and to manipulate the price of their currency for trade advantage—many believe that this Nation is heading into a serious depression.

#### FREE TRADE AND UNEMPLOYMENT

It is reported that there are more than 4,000,000 unemployed at this time and probably in excess of 10,000,000 partially unemployed in this country due principally to actual and threatened imports of products from the low-wage standard of living European and Asiatic nations.

#### DEFINITE MARKET FOR FOREIGN GOODS

Under the proposal of the flexible import fee adjustment of rates, a definite market basis is established in the United States for the goods of all foreign nations, but they are the judges of their own living standards. However, under such a provision they would be encouraged to raise their wage living standards because they would immediately get credit by a corresponding reduction in the tariff or import fee, and when their standards of living approximated our own, then the objective of free trade would be an almost automatic and immediate result. But in the meantime, our wage standard of living would be protected.

#### FLEXIBLE IMPORT FEE VERSUS "FREE TRADE"

This principle is in direct contrast to the free trade program of the State Department, and all subterfuge, including a manipulation of their currency values and selling under actual costs by such foreign governments to crowd another nation's products out of the foreign markets, including our own—as evidenced by a New York Times dispatch dated May 21 of this year—will be automatically stopped by the adoption of the flexible import fee principle.

Mr. President, I ask unanimous consent to have the dispatch printed in the body of the RECORD at this point.

The PRESIDING OFFICER. Any objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

TRADE LAG STUDIED FROM ECA NATIONS—GOVERNMENT SEEKS TO LEARN WHY FLOW FROM SUCH AREAS IS NOT UP TO EXPECTATIONS—TEN BILLION SEEN POSSIBLE—WOULD MEAN THREE BILLION RISE OVER 1948, REDUCE TRADE GAP AND EASE DOLLAR SHORTAGE

Surveys under Government auspices are being quietly made in trade quarters here to ascertain why the volume of imports from European countries aided by the Economic Cooperation Administration is not larger, it was learned here yesterday.

During the past week, field surveys have been made here by a team of keymen, in which the views and experiences of active importers were sought in a wide variety of lines.

Nothing was divulged as to the information or conclusions reached during the course of the surveys, other than that the data would be of assistance in coordinating the work of official agencies.

#### SCOPE OF FIELD WORK

The scope of the field work was indicated in scheduled contacts with importers of woollens, linens, laces, rayon and staple fiber, cottons, floor coverings, embroidery, metal products, needles, automobiles, leather goods, chinaware, department store goods, motorcycles, ball bearings, machinery, silverware, and foodstuffs. In all, some 40 different import lines from varied countries were canvassed, it is understood.

While no official statement is likely until the reports based on the surveys are made, if then, it is an open secret that Government agencies are anxious to spur imports by the United States as a major means of strengthening world economic recovery and curbing the dollar shortage and trade deficits abroad.

Import barriers ranging from antiquated customs procedure to excessively high prices abroad in the face of a declining price trend here have been cited as the major obstacles to the larger import volume that is felt necessary to reduce the export "gap," which exceeded \$5,000,000,000 last year.

Foreign trade experts have calculated that if business conditions and national income continue favorable here, the United States could absorb \$10,000,000,000 in imports from all parts of the world. This optimum figure, buttressed by American investment and tourist spending abroad, it is believed, would support and pay for a high level of American exports.

It compares with about \$7,000,000,000 in imports for 1948.

#### FIRST QUARTER IMPORTS

For the first quarter of 1949, imports were close to the 1948 level for the same period. Doubt appeared to be rising, however, that total imports in 1949 will materially exceed 1948 figures, with much depending on business conditions here.

High prices abroad have been stressed as probably the major factor tending to limit European imports. In the case of British goods, this was highlighted a few days ago by Sir Stafford Cripps, Britain's economic chief, who told a conference of editors in London that prices on export goods must be cut. Emphasizing again his position that no devaluation of sterling is contemplated, Sir Stafford noted consumer resistance on the part of American buyers who were hoping to get British goods at lower prices.

Prior to recent developments, Great Britain had set a goal of \$720,000,000 in exports to the United States and Canada for 1949. Sir Graham Cunningham has been named to head the drive, becoming head of a new department representing British industrial interests in the United States and working closely with the Government's export promotion agencies.

#### 1934 TRADE AGREEMENTS ACT

Mr. MALONE. Mr. President, it will be remembered that the Eightieth Congress extended the 1934 Trade Agreements Act for 1 year, timing it to come up at the same time as the second-year extension of the ECA or Marshall-plan appropriation and the proposed adoption of the International Trade Organization.

#### PERIL POINT

We added the provision to the Trade Agreements Act that the Tariff Commission must furnish the President what we called the peril point—that is, the tariff rate or import fee below which the production of the specific product under consideration would be endangered in this country—and where the floor under wages would be ineffective and would cause unemployment or a definite lowering of our standard of living.

#### PERIL POINT INEFFECTIVE

I am for the inclusion of the peril point—the danger point to employment and business as determined by the Tariff Commission in each case—at the same time feeling that it will have no practical effect except an opportunity for the President to emphasize his explanation to the Congress and to the public that naturally some sacrifices are necessary if we are to build a great foreign trade structure—the peril-point provision simply requires the President to advise Congress his reasons for disregarding the Tariff Commission's findings—there is nothing of a mandatory nature included in the provision.

#### UNDER FLEXIBLE IMPORT FEE PERIL POINT BECOMES THE TARIFF

Under the proposed flexible import fee bill provisions, the peril point, as determined by the Tariff Commission as the danger point to employment and industry, would become the tariff or import fee.

#### FLEXIBLE IMPORT FEE POLICY NOT NEW

The flexible import fee policy is not new—the Sixty-seventh Congress in 1922 passed such an act which has been carried forward as section 326 of the present Tariff Act. Under the act, however, the President must initiate such changes, and rather than follow such procedure he has elected to proceed under the State Department's free-trade theory based upon the 1934 Trade Agreements Act.

My bill simply transfers the necessary action from the President to the Tariff Commission and simplifies the method of determining the peril point which would then become the tariff or import fee.

#### "RECIPROCAL TRADE"—A CATCHWORD TO SELL FREE TRADE

There is no such thing as the Reciprocal Trade Act—which the 1934 Trade Agreements Act is commonly called—the words "reciprocal trade" do not occur in the 1934 Trade Agreements Act—it is not reciprocal and that is not the effect produced by the selective free-trade policy which the State Department, under the guise of the act, has pursued based on the act. The Department's theory is that the more we divide our markets with the nations of the world the less their trade-balance deficits will be.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 3181) to provide for more effective conservation in the arid and semiarid areas of the United States, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DURHAM, Mr. SASSER, Mr. HAVENNER, Mr. ANENDS, and Mr. ELSTON were appointed managers on the part of the House at the conference.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

The PRESIDING OFFICER (Mr. HOLLAND in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LUCAS. Mr. President, on behalf of the Senator from Maryland (Mr. TYNDING), I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair will name the conferees on the part of the Senate later in the session today. Subsequently, the Presiding Officer (Mr. LONG in the chair) appointed Mr. TYNDING, Mr. RUSSELL, Mr. BYRD, Mr. BRIDGES, and Mr. GURNEY conferees on the part of the Senate.

#### CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Alben	Hayden	McFarland
Anderson	Hickenlooper	McGrath
Brewster	Hill	McKellar
Bricker	Hoey	Malone
Bridges	Holland	Martin
Byrd	Humphrey	Maybank
Cain	Ives	Millikin
Cordon	Jenner	Murray
Donnell	Johnson, Tex.	Myers
Eastland	Johnston, S. C.	Neely
Eaton	Kefauver	O'Connor
Ferguson	Kern	Pepper
Flanders	Kilgore	Robertson
Frear	Knowland	Russell
Fulbright	Long	Schaeffer
Gillette	Lucas	Smith, Maine
Green	McCarthy	Stennis
Gurney	McClellan	

Taylor	Thye	Wiley
Thomas, Okla.	Tobey	Williams
Thomas, Utah	Tydings	Young

The PRESIDING OFFICER (Mr. LONG in the chair). A quorum is present.

#### SECOND DEFICIENCY APPROPRIATIONS

Mr. McKELLAR. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 4046) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 4046) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. McKELLAR. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will proceed to state the committee amendments.

The first amendment of the Committee on Appropriations was, under the heading "Legislative branch—House of Representatives," on page 1, after line 8, to insert:

For payment to Eileen Mercado-Parra Coffey, widow of Robert L. Coffey, Jr., late a Representative from the State of Pennsylvania, \$12,500.

The amendment was agreed to.

The next amendment was, under the subhead "Architect of the Capitol—Capitol Building and Grounds," on page 2, after line 24, to insert:

The limitation of \$1,500 placed on expenses for travel on official business under the Architect of the Capitol contained in the Legislative Branch Appropriation Act, 1949, is hereby increased to \$2,800.

The amendment was agreed to.

The next amendment was, on page 3, after line 20, to insert:

#### FUNDS APPROPRIATED TO THE PRESIDENT RELIEF OF PALESTINE REFUGEES

To enable the President to carry out the provisions of the joint resolution of March 24, 1949 (Public Law 25), authorizing a special contribution by the United States to the United Nations for the relief of Palestine refugees, \$14,000,000, to remain available until June 30, 1950, of which \$8,000,000 shall be used to repay, without interest, the Reconstruction Finance Corporation for advances made pursuant to section 1 of said public law.

Mr. HUMPHREY. I desire to direct some remarks to that portion of the deficiency bill pertaining to the relief of Palestine refugees, wherein the sum of \$14,000,000 has been provided, by Senate amendment to the bill H. R. 4046. I understand the original House provision was in the amount of \$16,000,000, instead of the \$14,000,000, which has now been recommended by the Senate committee.

Mr. McKELLAR. Mr. President, if the Senator will yield, I will explain to him that the House did not allow any

appropriation at all. It came to us as a special estimate, after the House had acted. The House did not act on it at all.

Mr. HUMPHREY. Is it not true that the House Committee on Foreign Affairs, however, did have some discussion of this question and recommended the original authorization of \$16,000,000?

Mr. McKELLAR. A law was passed providing such an authorization, but no estimate was passed upon by the House. The estimate came to the Senate, and the Senate allowed, by way of amendment, the amount that has been stated.

Mr. HUMPHREY. Mr. President I should like to make a few remarks in reference to an amendment I desire to offer. I offer the amendment at this time, in line 1, page 4, to strike out the "\$14,000,000" and insert in lieu thereof "\$16,000,000." I wish to address myself to the amendment.

The PRESIDING OFFICER. The clerk will state the amendment to the committee amendment.

The LEGISLATIVE CLERK. On page 4, in line 1, it is proposed to strike out "\$14,000,000", and insert "\$16,000,000."

Mr. HUMPHREY. The Government of the United States and other governments have made at least tentative commitments to assist in the relief and rehabilitation of some 800,000 citizens of the Arabian countries who have been displaced because of the international situation which has occurred in connection with the creation of the State of Israel. As we all know, there was a recommendation and authorization of \$16,000,000 adopted by the Congress, and now the task is to appropriate the money to fulfill the authorization. It is my considered judgment that we have now an opportunity fully to support the efforts being made by the United Nations for the relief of a very unhappy and tragic situation in the Near East. Here is an opportunity to deal with a very delicate situation in the Near East which has often been referred to as one of the kegs of dynamite or powder kegs in the international situation. Furthermore, as a government we have made certain promises to other members of the United Nations and I think it is very important that we fulfill those promises.

There has been established a special commission of the United Nations, known as the United Nations Relief for Palestine Refugees. This United Nations organization has set as an objective a fund of some \$32,000,000, of which the United States was to be asked for \$16,000,000. I think it should be noted that approximately \$13,000,000 of the \$16,000,000 which other countries are committed to has already been subscribed, or is in the process of being subscribed. I realize that \$14,000,000 is a very generous contribution on the part of our Government, but those who have testified in reference to the tragic situation in the Near East and the large number of displaced persons in that area, tell us that the over-all budget of \$32,000,000, which was established by the United Nations Relief for Palestine Refugees Organization, was a basic minimum.



The motion was agreed to; and the Senate proceeded to consider the bill (S. 249), to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. LUCAS. Mr. President, as everyone knows, this is the bill commonly known as the bill to repeal the Taft-Hartley law. There will be no consideration given to it this afternoon. As I stated yesterday, the Senate will take a recess until Monday next.

Mr. WHERRY. Is it contemplated that House bill 4016, the bill making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, will be considered, probably, on Monday?

Mr. LUCAS. I cannot advise the Senator definitely, but obviously as we move along with the labor bill, consideration of which will probably require a couple of weeks, we may have to sandwich in between the appropriation bill and some other bills.

Mr. WHERRY. I make that inquiry, because some Senators are anxious to know what is proposed to be done with respect to the appropriation bill.

Mr. LUCAS. I cannot say definitely. It is possible that we might take up the appropriation bill on Monday afternoon, but I do not think very many Senators will be away from the Senate Chamber or at least they will not be very far away from the Senate Chamber when the labor bill is being debated.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. WHERRY. A motion has been agreed to to take up the proposed repeal of the Taft-Hartley Act. Does that supplant the unfinished business?

Mr. LUCAS. There was no unfinished business.

Mr. WHERRY. I thought the unfinished business was the reciprocal trade agreements bill.

Mr. LUCAS. No. That was displaced some days ago when a motion was made and agreed to consider another bill.

Mr. WHERRY. The labor bill is, then, the unfinished business?

Mr. LUCAS. The Senator is correct.

Mr. THYE. Mr. President, may I inquire whether the Senate has received the conference report on the Commodity Credit Corporation bill?

Mr. LUCAS. It has been received and agreed to.

Mr. THYE. I was called to the telephone. I know that the Senate was awaiting receipt of the conference committee report. I have just returned to the Chamber. Before the Senate takes a recess I wish to make inquiry about what has happened.

Mr. LUCAS. That demonstrates how expeditiously the Senate can transact business sometimes.

Mr. THYE. I appreciate that. I am sure that I speak for all the agricultural interests in the Nation when I say that they are very happy that the Commodity Credit Corporation bill has been finally passed.

Mr. WHERRY. Mr. President, I am sure the distinguished majority leader does not mean to convey the idea that we can transact business faster when the Senator from Minnesota is absent from the Chamber than we can when he is present. [Laughter.]

Mr. THYE. I am certain that the Senator from Illinois did not intend any such meaning by his statement.

Mr. LUCAS. The distinguished Senator from Minnesota is one of the most cooperative men I know. I have served with him for a number of years on the Committee on Agriculture and Forestry, and I always appreciate his counsel and advice.

Mr. THYE. I am very grateful to the Senator from Illinois for those remarks.

#### POSTMASTER

Mr. LUCAS. Mr. President, as in executive session, I ask unanimous consent for the present consideration of the nomination of a postmaster on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered. The nomination will be stated.

The legislative clerk read the nomination of Harry F. Schiewetz to be postmaster at Dayton, Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed and, without objection, the President will be notified.

#### RECESS TO MONDAY

Mr. LUCAS. I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until Monday, June 6, 1949, at 12 o'clock meridian.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate June 2, 1949:

##### UNITED STATES DISTRICT JUDGE

Abraham Benjamin Conger to be United States district judge for the middle district of Georgia.

##### IN THE NAVY

##### TEMPORARY APPOINTMENTS

The nominations of Cecil C. Abbott, Jr., and other officers of the Navy for temporary appointment to the grade of lieutenant commander, subject to qualification therefor as provided by law, which were confirmed today, were received by the Senate on May 20, 1949, and appear in full in the Senate proceedings for that date under the caption "Nominations," beginning with the name of Cecil C. Abbott, Jr., which appears on page 6541, and ending with the name of Herman R. Norwood, which is shown on page 6545.

##### PERMANENT APPOINTMENTS

The nominations of Paul B. Nibecker and other officers for permanent appointment in the Navy, which were confirmed today, were received by the Senate on May 23, 1949, and which appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date under the caption "Nominations," beginning with the name of Paul B. Nibecker, which is shown on page 6639, and ending with the name of William J. Moran, which appears on page 6641.

## HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 2, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O immortal Son of God, who came to this earth, revealing the love of the Father's heart, give us eyes to see the light and hearts to love the truth in this turbulent world, amid the hard questions and trembling distrust of many of our people, and for those who are in the twilight of vision and fail to see, for them we humbly pray. Deliver us from prejudices, from ignorant misunderstandings, and failure to bear valiantly our responsibilities as citizens. O increase our fidelity and gratitude toward our country, which is seeking to bring release to peoples in bondage. Assure us that no dire calamity, no hopeless grief or needless breath of ill can defeat the soul that rests in Thee. In the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4583. An act relating to telephone and telegraph service and clerk hire for Members of the House of Representatives.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1068. An act to define the application of the Federal Trade Commission Act and the Clayton Act to certain pricing practices.

#### CENTRAL INTELLIGENCE AGENCY

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2632) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 7, strike out lines 3 to 7, inclusive, and insert:

"(B) While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave."

Page 12, line 17, strike out "Director and" and insert "Director."

Page 12, line 18, after "General," insert "and the Commissioner of Immigration."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. Speaker, reserving the right to object, has the gentleman from Maryland

brought this to the attention of the ranking minority member of the committee?

Mr. SASSCER. In reply to the gentleman from Massachusetts I wish to state that the matter has been checked with the minority members of the committee. I have cleared it with the majority leader on this side and with the minority leader as well, as the gentleman will recall, on yesterday.

Mr. MARTIN of Massachusetts. The minority Members are agreeable to this change?

Mr. SASSCER. Yes.

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, I opposed this legislation when it was before the House. I consider it most dangerous and subversive of our Constitution. It places manacles around the liberties of Americans. It is Fascist in character. I cannot permit it to be sent to the President with my consent. Therefore, I am constrained to object.

The SPEAKER. Objection is heard.

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2663, being an act to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. SASSCER]? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DURHAM, SASSCER, HAVENNER, ARENDT, and ELSTON.

#### OVERTIME-COMPENSATION PROVISIONS OF THE FAIR LABOR STANDARDS ACT

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 858, being an act to clarify the overtime-compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in the longshore, stevedoring, building, and construction industries, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out all after "employee" down to and including "industries" in line 9.

Page 2, after line 17, insert:

"SEC. 2. No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended (in any action or proceeding commenced prior to or on or after the date of the enactment of this act), on account of the failure of said employer to pay an employee compensation for any period of overtime work performed prior to the date of enactment of this act, if the compensation paid prior to such date for such work was at least equal to the compensation which would have been payable for such work had the amendment made by section 1 of this act been in effect at the time of such payment."

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. LESINSKI]?

Mr. MARCANTONIO. Mr. Speaker,

bill was originally before the House I opposed it. We were then told there would be no retroactive features brought into the bill. The Senate amendment makes the bill retroactive. I object, Mr. Speaker; I shall also object to sending the bill to conference. I think the House should have an opportunity to debate this bill again, particularly in view of the fact that when we considered it originally the retroactive feature was not before the House and not considered by the House. I submit that the retroactive provision should be considered and fully debated by the House. I therefore object, Mr. Speaker.

#### FLAG DAY

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 170, designating June 14 of each year as Flag Day.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this legislation?

Mr. WALTER. The resolution simply calls on the President to issue a proclamation requiring the display of the flag on all Government buildings on Flag Day.

Mr. MARTIN of Massachusetts. Does he not do that now?

Mr. WALTER. No, sir; not on June 14.

Mr. MARTIN of Massachusetts. Is this done by the various States?

Mr. WALTER. It is done by the various States.

Mr. MARTIN of Massachusetts. And this is to make it national?

Mr. WALTER. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the 14th day of June of each year is hereby designated as "Flag Day," and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and urging the people to observe the day as the anniversary of the adoption on June 14, 1777, by the Continental Congress of the Stars and Stripes as the official flag of the United States of America.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. LANE asked and was granted permission to extend his remarks in the Record in two instances; in the first to include a resolution and in the second a radio speech.

Mr. MULTER asked and was granted permission to extend his remarks in the Record in four instances and to include extraneous matter.

PERMISSION TO ADDRESS THE HOUSE  
Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. MULTER addressed the House. His remarks appear in the Appendix.]

#### EXTENSION OF REMARKS

Mr. FRAZIER asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial appearing in the Daily Post-Athenian of Athens, Tenn., under date of May 25, 1949.

Mr. LANHAM asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial from the Atlanta Journal.

Mr. RIBICOFF asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in each to include extraneous matter.

Mr. BIEMILLEIT asked and was given permission to extend his remarks in the Appendix of the Record and include two resolutions by the Wisconsin Committee on the Hoover Commission Report.

Mr. CHESNEY asked and was given permission to extend his remarks in the Record and include an article from the Chicago Daily News.

Mr. ASPINALL asked and was given permission to extend his remarks in the Appendix of the Record and include an article written by a high-school student entitled "Conserving Our Soil."

Mr. ELLIOTT asked and was given permission to extend his remarks in the Appendix of the Record and include a statement.

Mr. WOOD asked and was given permission to extend his remarks in the Appendix of the Record and include a letter from the regional officer of the Kanto military government region headquarters of Japan.

Mr. TAURIELLO asked and was given permission to extend his remarks in the Record and include two editorials from the Buffalo Evening News by Thomas Stokes.

Mr. HAYS of Arkansas asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in one to include extraneous matter.

Mr. McKINNON asked and was given permission to extend his remarks in the Record and include an article from a newspaper.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the Record and include an article by Leon Keyserling, a member of the President's Council of Economic Advisers, notwithstanding the fact that it exceeds the limit fixed by the Joint Committee on Printing and is estimated by the Public Printer to cost \$187.50.

#### REPEAL OF CERTAIN EXCISE TAXES

Mrs. DOUGLAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

Federal Works Administrator and the head of such corporation: *Provided, however, That in the event the Federal Works Administrator and the head of such corporation shall fail to agree, the fair market value of such property shall be determined by the Secretary of the Treasury.*; and agree to the same.

DENNIS CHAVEZ,  
SPESSARD L. HOLLAND,  
HARRY P. CAIN,  
EDWARD MARTIN,

*Managers on the Part of the Senate.*

WILL M. WHITTINGTON,  
CHARLES A. BUCKLEY,  
HENRY D. LARCADE, Jr.,  
GEO. A. DONDERO,  
HOMER D. ANGELL,

*Managers on the Part of the House.*

The PRESIDING OFFICER (Mr. HILL in the chair). Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. TAFT. Mr. President, I notice that the report is signed by two Republicans and two Democrats, conferees on the part of the Senate. Was the report unanimous, so far as the Senate conferees were concerned?

Mr. CHAVEZ. It was a unanimous report. One of the conferees—the Senator from Kentucky [Mr. CHAPMAN]—happened to be out of the city when we had the conference. That is why he did not sign the report.

Mr. TAFT. There was no objection, otherwise?

Mr. CHAVEZ. There was no objection.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

CENTRAL INTELLIGENCE AGENCY—  
CONFERENCE REPORT

During the delivery of the speech of Mr. THOMAS of Utah,

Mr. TYDINGS. Mr. President, will the Senator yield for consideration of a conference report, which will not require very much time?

Mr. THOMAS of Utah. I yield, if by so doing I am not taken off the floor.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the Senator from Utah may yield, without losing the floor thereby, for consideration of a conference report in which the Senate viewpoint has been adopted by the House. The conference report is on the Central Intelligence Agency bill, House bill 2663, which passed the Senate 3 or 4 days ago.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, do I correctly understand the Senator from Maryland to state that the Senate viewpoint was acceded to by the House?

Mr. TYDINGS. The House acceded to the Senate amendment.

Mr. President, I submit the conference report on the Central Intelligence Agency bill, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the

amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3; and agree to the same.

M. E. TYDINGS,  
RICHARD B. RUSSELL,  
HARRY F. BYRD,  
STYLES BRIDGES,  
CHAN GURNEY,

*Managers on the Part of the Senate.*

CARL T. DURHAM,  
LANDSDALE G. SASSER,  
FRANCK R. HAVENNER,  
L. C. ARENDSON,  
CHARLES H. ELSTON,

*Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. WHERRY. Mr. President, I ask the Senator from Maryland to make a brief statement respecting the report.

Mr. TYDINGS. Mr. President, the Senate will recall that at the instance of the Senator from North Dakota [Mr. LANGER], two small amendments of interpretation were placed in the bill. One was for the purpose of providing a wider check on immigration; the other confined the activities of the organization to external matters. The House adopted both amendments, which the Central Intelligence Agency was happy to approve, because the purposes sought by the amendments had originally been intended to be included.

Mr. WHERRY. That is all that is involved?

Mr. TYDINGS. Yes.

Mr. WHERRY. The Senate's viewpoint was adopted by the House?

Mr. TYDINGS. That is correct.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. TYDINGS. Mr. President, I ask unanimous consent that this matter may appear in the RECORD at the conclusion of the address now being delivered by the Senator from Utah.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSE BILL AND JOINT RESOLUTION  
REFERRED

The following bill and joint resolution were each read twice by their titles, and referred to the Committee on the Judiciary:

H. R. 4567. An act to amend the Displaced Persons Act of 1948; and  
H. J. Res. 170. Joint resolution designating June 14 of each year as Flag Day.

NATIONAL LABOR RELATIONS ACT  
OF 1949

The Senate resumed the consideration of the bill (S. 249) to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes.

Mr. THOMAS of Utah. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Alken	Hendrickson	Maybank
Anderson	Hill	Murray
Baldwin	Humphrey	O'Mahoney
Butler	Ives	Pepper
Chapman	Jenner	Russell
Chavez	Johnson, Tex.	Schaeffer
Donnell	Johnston, S. C.	Sparkman
Douglas	Kerr	Taft
Downey	McCarran	Thomas, Utah
Ferguson	McClellan	Tye
Flanders	McFarland	Tydings
Frear	McGrath	Wiley
Fulbright	McKellar	
Green	Martin	

The PRESIDENT pro tempore A quorum is not present. The clerk will call the names of the absent Senators.

The names of the absent Senators were called, and Mr. ROBERTSON, Mr. KEFAUVER, Mr. LUCAS, Mr. WILLIAMS, and Mr. WITHERS answered to their names when called.

The PRESIDENT pro tempore. A quorum is not present.

Mr. LUCAS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. NEELY, Mr. MCCARTHY, Mr. ECTON, and Mr. KILGORE entered the Chamber and answered to their names.

Mr. BRICKER, Mr. ELLENBERGER, Mr. HAYDEN, Mr. HOEY, Mr. TAYLOR, and Mr. THOMAS of Oklahoma, also entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment to Senate bill 249. The amendment is offered in behalf of myself, the Senator from Vermont [Mr. ARDEN], the Senator from Alabama [Mr. BILL], the Senator from Kentucky [Mr. WITHERS], the Senator from New Hampshire [Mr. TOBEY], the Senator from Maine [Mrs. SMITH], the Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], and the Senator from Illinois [Mr. DOUGLAS].

The PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

Mr. MCCARRAN. Mr. President, I respectfully refer to the unanimous-consent agreement which was had this morning to the effect that on the conclusion of the speech by the Senator from Utah [Mr. THOMAS] in connection with the pending bill, the unfinished business would be laid aside and we would have an opportunity to present the appropriation bill for the Departments of State, Justice, Commerce, and the Judiciary, which is now pending on the calendar. At this hour it is entirely too late to go forward with that unanimous-consent agreement. I have had a short conference with the senior Senator from Ohio [Mr. TAFT]. In all fairness, I think the senior Senator from

By unanimous consent, the proceedings whereby the bill (H. R. 1975) was passed were vacated, and the bill was laid on the table.

**TEIKO HORIKAWA AND YOSHIKO HORIKAWA**

The Clerk called the bill (H. R. 2084) for the relief of Teiko Horikawa and Yoshiko Horikawa.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding any provision of law to the contrary, the aliens Teiko Horikawa and Yoshiko Horikawa, minor twin stepdaughters of David Bailey Carpenter, a World War II veteran who married Yoshi Horikawa Higo (now Mrs. Yoshi Horikawa Carpenter), a Japanese national and the mother of such minor stepdaughters, on August 6, 1947, shall be admitted to the United States for permanent residence.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of the Immigration and Naturalization laws the provisions of section 13 (c) of the Immigration Act of 1924, as amended, which exclude from admission to the United States persons who are ineligible to citizenship, shall not apply to Teiko and Yoshiko Horikawa, minor twin stepdaughters of David Bailey Carpenter, a World War II veteran who married Yoshi Horikawa Higo, a Japanese national and the mother of such minor stepdaughters, on August 6, 1947, and that if otherwise admissible under the Immigration laws they shall be granted admission into the United States for permanent residence upon application hereafter filed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**SADAE AOKI**

The Clerk called the bill (H. R. 2709) for the relief of Sadae Aoki.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, or any of the other provisions of the Immigration laws relating to the exclusion of aliens ineligible to citizenship, the Attorney General is authorized and directed to permit the entry into the United States for permanent residence of Sadae Aoki, the Japanese fiancée of A. George Kato, a citizen of the United States and an honorably discharged veteran of World War II: *Provided,* That the administrative authorities find that the said Sadae Aoki is coming to the United States with a bona fide intention of being married to A. George Kato and that she is found otherwise admissible under the Immigration laws. In the event the marriage between the above named parties does not occur within 3 months after the entry of said Sadae Aoki, she shall be required to depart from the United States and upon failure to do so shall be deported at any time after entry in accordance with the provisions of sections 19 and 20 of the Immigration Act of February 5, 1917 (U. S. C., title 8, secs. 153 and 156).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**SALE OF CERTAIN LANDS TO SISTERS OF ST. JOSEPH IN ARIZONA**

The Clerk called the bill (H. R. 3982) to authorize the Secretary of Agriculture to sell certain lands to the Sisters of St. Joseph in Arizona, Inc., Tucson, Ariz., to consolidate the Desert Laboratory Experimental Area of the Southwestern Forest and Range Experiment Station, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of Agriculture is hereby authorized, in his discretion, to sell and convey, in whole or from time to time in separate parcels, by quitclaim deed or deeds, to the Sisters of St. Joseph in Arizona, of the city of Tucson, State of Arizona, an Arizona corporation, for cash, at a price or prices not less than the appraised value thereof as determined by him, the following-described lands situated in the county of Pima, State of Arizona, to wit: That portion of tract 37, section 10, township 14 south, range 13 east, Gila and Salt River meridian, Arizona, as shown on the official public survey plat approved August 5, 1944, lying north of a line extending westerly from corner numbered 7 of the official survey to the west line of said tract at a point twelve and forty one-hundredths chains south of official corner numbered 2, containing fifteen and eighty-six one-hundredths acres, more or less, subject, however, to a reservation to the United States of all uranium, thorium, and all other materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 755, 761), to be peculiarly essential to the production of fissionable material, as provided in Executive Order No. 9908 (12 F. R. 8223). Subject, also to a right-of-way 40 feet in width outstanding in Pima County for the Silver Bell Road as now located and defined, and to the reservations contained in the United States patent to said lands. The proceeds of such sale or sales shall be available to the Secretary of Agriculture for the purchase of any lands described in the second section of this act which are not owned by the United States and the construction of improvements for the Desert Laboratory of the Southwestern Forest and Range Experiment Station in replacement of the lands and facilities disposed of hereunder.

Sec. 2. That, subject to any valid existing claim or entry, all lands of the United States situated within the area hereafter described are hereby added to and made parts of the Coronado National Forest, State of Arizona, and all lands in the described area hereinafter under the first and third sections of this act shall thereupon become parts of the said national forest and shall be subject to the laws and regulations relating to the national forests, but shall be reserved from entry and location under the public lands and mining laws of the United States as an experimental area for watershed management and range research:

South half southeast quarter section 9; that portion of tract 37, section 10, township 14 south, range 13 east, Gila and Salt River meridian, Arizona, as established by the General Land Office, Department of the Interior, as approved by the Acting Assistant Commissioner on August 5, 1944, lying south of a line extending westerly from corner numbered 7 of the official survey to the west line of said tract at a point twelve and forty one-hundredths chains south of official corner numbered 2, containing nine and sixty one-hundredths acres, more or less; four acres, more or less, out of the south half southeast quarter northwest quarter southeast quarter, south half southwest quarter, section 10, west half northwest quarter

northeast quarter, west half section 15 a east half section 16, all in township 14 south range 13 east, Gila and Salt River meridian.

SEC. 3. That the provisions of the act approved March 20, 1922 (42 Stat. 465, U. S. C. 485), as amended, are hereby extended and made applicable to all lands within the area described in the second section of this act which are not owned by the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**EXTENSION OF REMARKS**

Mr. DAVIS of Wisconsin (at the request of Mr. SMITH of Wisconsin) given permission to extend his remarks in the RECORD.

**ADMINISTRATION OF THE CENTRAL INTELLIGENCE AGENCY**

Mr. SASSER. Mr. Speaker, I call the conference report on the bill (H. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, and ask unanimous consent that the statement of the managers of the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

**CONFERENCE REPORT (H. REP. NO. 725)**

The committee of conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, have met, after full and free conference, have agreed to recommend and do recommend their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

CARL T. DURHAM,  
LANSDALE C. SASSER,  
FRANK H. HAVENNER,  
L. C. ARENDT,  
CHAS. H. JASTON,

**Managers on the Part of the House**

M. E. TYDINGS,  
RICHARD B. RUSSELL,  
HARRY M. BYRD,  
STYLES BRIDGES,  
CHAS. GURNEY,

**Managers on the Part of the Senate**

**STATEMENT**

The managers on the part of the House the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2663) to provide the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference recommended in the accompanying conference report:

Amendment No. 1: The House bill provides for the employment of the Central Intelligence Agency who are in the contin-



tal United States on leave should be available for work or duties in the agency or elsewhere. The Senate amendment provided that officers or employees of the Agency who are in the continental United States on leave should be available for work or duties only in the Agency or for training or for reorientation for work. The conference agreement adopts the provisions of the Senate amendment.

Amendments Nos. 2 and 3: The House bill provided that whenever the Director of the Central Intelligence Agency and the Attorney General should determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family could be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations and without regard to their failure to comply with such laws and regulations pertaining to admissibility. The House bill limited the number of aliens admissible under such authority to not more than 100 in any one fiscal year. The effect of Senate amendments Nos. 2 and 3 was to add the Commissioner of Immigration to the officials who would determine what aliens should be admitted under this authority. The conference agreement adopts the Senate amendments.

CARL T. DURHAM,  
LANDALE G. SASSCER,  
FRANCK R. HAVENNER,  
L. C. AREND,  
CHAS. H. ELSTON.

*Managers on the Part of the House.*

Mr. SASSCER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, this bill originally came before the House under the suspension of the rules procedure. At that time I pointed out in my opposition to the bill that in the report accompanying the bill, there was a statement to the effect that not all of the provisions of this bill would be explained to the Members of Congress. We were presented with a most extraordinary situation. The House voted to pass this hush-hush bill, despite the fact that all of its provisions had not been explained and would not be explained to the membership. I stated then that this bill was subversive of our Bill of Rights. The Senate amendments have not cured that. The situation with respect to elementary democracy, as it is endangered by this bill, remains the same. I opposed the bill then, and I have opposed this bill at every step, and I oppose it now in its final stage.

In the last analysis, Mr. Speaker, the security of this Nation rests on the strength of its democratic institutions. This bill undermines those democratic institutions. It substitutes for our constitutional guarantees a Gestapo system. It is being sold to the country by hysteria, and it is being imposed on the people as preparation for a war which the American people do not want. Mr. Speaker, I shall vote against the adoption of the conference report.

Mr. SASSCER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, in a colloquy which took place in the other body several days ago a Senator inquired of another Senator as to the reason why the Attorney General's recommendation pertaining to suspension of deportation was not being acted on in the House. The reply was that the House was not going along with the policy of the Senate. The fact of the matter is that under existing law where the Attorney General suspends the deportation of an alien under section 19 (c) of the Immigration Act of 1917, as amended, it is incumbent on each body to review the action thus taken, and unless each body affirmatively approves of such suspension of deportation, then the deportation is proceeded with. At the last session of the Congress our distinguished colleague, the gentleman from Maine [Mr. FELLOWS] introduced legislation which had the purpose of giving each body the authority to review the action taken by the Attorney General, but did not make it incumbent on the House as well as the Senate to act affirmatively. The House of Representatives at this session passed practically the same bill. In an informal conference attended by the ranking members of both sides of the Committee on the Judiciary, it was agreed that either body would have the authority to object to the Attorney General's ruling but that neither body would be obliged to act affirmatively. The Senate is adamant in its position, but my bill, H. R. 3875, similar to the Fellows bill of last year, is now pending in the Senate Committee on the Judiciary. Recently I suggested a compromise amendment to this bill and I sincerely hope that the other body will bring about its early passage, thus helping to break the logjam. We want to retain the power to object to the Attorney General's rulings, but the House does not want to be obligated to act affirmatively on nearly 2,000 cases per session. Certainly it seems to me that Members of Congress, both of the House and Senate, should know what the real situation is.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. VORYS. This may not be on the same subject, but I wanted to know whether there is a practice now to stay deportations in cases where bills are introduced. I understand there was a practice for many years, but that practice is no longer followed by the immigration authorities.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SASSCER. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. WALTER. The Committee on the Judiciary 2 years ago, when our distinguished colleague the gentleman from Michigan [Mr. MICHENER] was chairman of the committee, reviewed the practice of staying deportations where a bill was introduced, and it was decided

that unless the Member who introduced the bill requested a hearing, and we so notified the Immigration Service, the proceedings would continue. It was only in those cases where it was apparent that the Member intended to vigorously press for the enactment of the private legislation that deportation would be stayed. However, that is not the practice in the other body. There it is necessary only to introduce a bill in order to stay deportation. Incidentally, there have been a number of cases where the House has refused to intercede, and even after bills have been introduced and unfavorably acted upon by our committee, a Senator has introduced a bill, and the deportation of some alien who, in the judgment of the House Judiciary Committee ought to be deported, has been stayed.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. McCORMACK. Of course, when you introduce these bills, it takes quite a long time to have reports received from the appropriate agencies. That is correct, is it not?

Mr. WALTER. Yes.

Mr. McCORMACK. I do know that it has created a rather compromising situation for Members of the House who have introduced a bill to know that that of itself does not stay the deportation until an opportunity has been had to receive reports sought and hearings held.

Mr. WALTER. I do not think the gentleman is correct in that, because, if a bill is introduced and a request is made of the Judiciary Committee, then the committee notifies the Immigration and Naturalization Service, and all proceedings are stayed until action has been taken on the bill.

Mr. McCORMACK. I am glad to hear that, because that clarifies an honest misapprehension that existed in my mind and must have existed in the minds of other Members. We all have communications on this subject at some time or another, perhaps two or three times a year, and, frankly, I have written to friends of mine stating that what I would be glad to introduce a private bill and submit it to the committee, and I have asked them to give me the evidence in affidavit form to present to the subcommittee, that they had better get somebody on the other side to introduce a bill to get a stay of deportation. It has been rather embarrassing. From now on I will utilize the information the gentleman has given me, and relieve that embarrassment to which I have been subjected.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. SASSCER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the conference report as it comes before the House has two minor amendments which were offered by the Senate and adopted by the conferees. These amendments do not change the scope or substance of the bill. One provides that if any employee of the Central Intelligence Agency is on leave in the United States, he cannot be assigned to

duty outside the agency. It is not the intention of the agency to use these employees for duty within the United States other than within the agency. They are simply brought back here for training, and so on, as the functions are carried on in the continental United States.

The other amendment provides that in addition to the approval of the Attorney General on the admission of any of these aliens who may be brought in because of their high potential security value the alien must also be approved by the Commissioner of Immigration.

The bill was carefully considered in the committee, unanimously reported, and passed overwhelmingly in the House. It outlines and spells out the functions of the Central Intelligence Agency, and attempts to build up a career service.

Mr. Speaker, I move the previous question.

The previous question was ordered. The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 74, noes 1.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### NURSERY SCHOOLS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3957) to continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children in the District of Columbia through June 30, 1950, with Senate amendment, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ABERNETHY, GRANGER, and MILLER of Nebraska.

#### TELEPHONE, TELEGRAPH SERVICE, AND CLERK HIRE FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 240) to take from the Speaker's table the bill (H. R. 4583) relating to telephone and telegraph service and clerk hire for Members of the House of Representatives (Rept. No. 735), which was referred to the House calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution the bill (H. R. 4583) relating to telephone and telegraph service and clerk hire for Members of the House of Representatives, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendments be, and the same are hereby agreed to.

#### INVESTIGATION OF THE B-36 BOMBERS

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 234) directing the Committee on the Armed Services to conduct thorough studies and investigations

of the B-36 bomber and for other purposes (Rept. No. 736), which was referred to the House calendar and ordered to be printed:

*Resolved*, That the Committee on Armed Services or any subcommittee thereof is authorized and directed to conduct thorough studies and investigations relating to matters involving the B-36 bomber, including, specifically, all facts relating to when this bomber was purchased, why it has been purchased, how it was purchased, any cancellations of other aircraft procurement that may have been resulted from such purchases, and any and all other collateral matters that such inquiries may develop, and for such purposes the said committee is authorized to sit and act during the Eighty-first Congress at such times and places, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpoena or otherwise the attendance and testimony of such witnesses and the production of such books, records, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The committee shall report to the House of Representatives during the present session of Congress the results of its studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

#### PROGRAM FOR JUNE 8

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask for this time for the purpose of announcing that on the report just received from the Committee on Rules giving to the armed services certain powers of investigation, I shall call the rule up tomorrow. It will be the first order of business. I make this announcement so that the membership of the House will be aware of it.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HOFFMAN of Michigan. What is the number of the bill? Is it H. R. 4583?

Mr. McCORMACK. No.

Mr. VINSON. If the gentleman will yield, it is a resolution.

Mr. McCORMACK. The other bill to which the gentleman from Michigan refers will come up later, but not tomorrow.

#### INTERNATIONAL CHILDREN'S EMERGENCY FUND

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2785) to provide for fur-

ther contributions to the International Children's Emergency Fund. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except on a motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may desire to use and also 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. Speaker, this resolution calls for consideration of the bill (H. R. 2785) which will merely extend for a 1-year period legislation making funds available for children that have been left destitute by reason of the war.

There have been over 4,500,000 children taken care of through this fund. It was originally established by the United Nations Organization in 1946, and called the Children's Emergency Fund. The purpose of the fund is to aid these children in their formative years, and also mothers during pregnancy and nursing period.

I believe the greatest statement that was ever made on behalf of this legislation at the time it was considered was by former Secretary of State George C. Marshall. When he was addressing the United Nations General Assembly he stated:

Children whose bodies have been starved and warped are likely to develop, if they survive, into a generation of embittered adults. Our national interests, as well as our humanitarian instinct, demands that we do not permit this to happen. If we fail to do our part for the nourishment and care and normal development today of the children with whom our children will have to live tomorrow, we shall have failed in statesmanship as well as in humanity.

Mr. Speaker, this legislation is not to be considered as of permanent effect in any way but is merely to extend what has already been in the process of operation. This bill would merely extend the time until June 1950.

I may say further that the operation of this fund has been nonpolitical in every way. The committee has made an investigation on various reports as to the administration of the fund and we have been advised that the personnel operating the disposal of the fund to these children make their check from the distribution and supply depots and that the fund is disbursed equitably to the various sources that are in need of aid.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Illinois.

Mr. SABATH. This does not call for any additional appropriation. There is an unexpended balance out of last year's authorization and appropriation of about \$21,000,000. This would only authorize

1942

## CONGRESSIONAL RECORD—HOUSE

MARCH 7

THREE HUNDREDTH ANNIVERSARY OF  
ANNAPOLIS, MD.

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 22) to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

The SPEAKER. The Chair desires to state that he has consulted with the gentleman from Tennessee and understands the gentleman from Tennessee has cleared this matter with the majority Members on both sides.

Mr. MURRAY of Tennessee. That is correct.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

*Resolved, etc., That the Postmaster General is authorized and directed to prepare for issuance in May 1949 a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the three hundredth anniversary of Annapolis, Md.*

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATION OF THE CENTRAL  
INTELLIGENCE AGENCY

Mr. SASSCER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, as amended.

The SPEAKER. The Clerk will report the bill as amended.

The Clerk read as follows:

*Be it enacted, etc.—*

## DEFINITIONS

SECTION 1. That when used in this act, the term—

(a) "Agency" means the Central Intelligence Agency;

(b) "Director" means the Director of Central Intelligence;

(c) "Government agency" means any executive department, commission, council, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government; and

(d) "Continental United States" means the States and the District of Columbia.

## SEAL OF OFFICE

SEC. 2. The Director of Central Intelligence shall cause a seal of office to be made for the Central Intelligence Agency, of such design as the President shall approve, and judicial notice shall be taken thereof.

## PROCUREMENT AUTHORITIES

SEC. 3. (a) In the performance of its functions the Central Intelligence Agency is authorized to exercise the authorities contained in sections 2 (c) (1), (2), (3), (4), (5), (6), (10), (12), (15), (17), and sections 3, 4, 5, 6, and 10 of the Armed Services Procurement Act of 1947 (Public Law 413, 80th Cong. 2d sess.).

(b) In the exercise of the authorities granted in subsection (a) of this section, the term "Agency head" shall mean the Di-

rector, the Deputy Director, or the Executive of the Agency.

(c) The determinations and decisions provided in subsection (a) of this section to be made by the Agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (d) of this section, the Agency head is authorized to delegate his powers provided in this section, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the Agency.

(d) The power of the Agency head to make the determinations or decisions specified in paragraphs (12) and (15) of section 2 (c) and section 5 (a) of the Armed Services Procurement Act of 1947 shall not be delegable. Each determination or decision required by paragraphs (12) and (15) of section 2 (c), by section 4, or by section 5 (a) of the Armed Services Procurement Act of 1947, shall be based upon written findings made by the official making such determinations, which findings shall be final and shall be available within the Agency for a period of at least 6 years following the date of the determination.

## EDUCATION AND TRAINING

SEC. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

(b) The Agency shall, under such regulations as the Director may prescribe, pay the tuition and other expenses of officers and employees of the Agency assigned or detailed in accordance with provisions of subsection (a) of this section, in addition to the pay and allowances to which such officers and employees may be otherwise entitled.

## TRAVEL, ALLOWANCES, AND RELATED EXPENSES

SEC. 5. (a) Under such regulations as the Director may prescribe, the Agency, with respect to its officers and employees assigned to permanent-duty stations outside the continental United States, its Territories, and possessions, shall—

(1) (A) pay the travel expenses of officers and employees of the Agency including expenses incurred while traveling pursuant to orders issued by the Director in accordance with the provisions of section 5 (a) (3) with regard to the granting of home leave;

(B) pay the travel expenses of members of the family of an officer or employee of the Agency when proceeding to or returning from his post of duty, accompanying him on authorized home leave; or otherwise traveling in accordance with authority granted pursuant to the terms of this or any other act;

(C) pay the cost of transporting the furniture and household and personal effects of an officer or employee of the Agency to his successive posts of duty and, on the termination of his services, to his residence at time of appointment or to a point not more distant, or, upon retirement, to the place where he will reside;

(D) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency who is absent under orders from his usual post of duty, or who is assigned to a post to which, because of emergency conditions, he cannot take or at which he is unable to use, his furniture and household and personal effects;

(E) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency on first arrival at a post for a period not in excess of 3 months after such first arrival at such post or until the establishment of residence quarters, which quarters shall be provided

(F) pay the travel expenses and transportation costs incident to the removal of the members of the family of an officer or employee of the Agency and his furniture and household and personal effects, including automobiles, from a post at which, because of the prevalence of disturbed conditions, there is imminent danger to life and property, and the return of such persons furniture, and effects to such post upon the cessation of such conditions, or to such other post as may in the meantime have become the post to which such officer or employee has been assigned.

(2) Charge expenses in connection with travel of personnel, their dependents, and transportation of their household goods and personal effects, involving a change of permanent station, to the appropriation for the fiscal year current when any part of either the travel or transportation pertaining to the transfer begins pursuant to previously issued travel and transfer orders, notwithstanding the fact that such travel or transportation may not all be effected during such fiscal year, or the travel and transfer orders may have been issued during the prior fiscal year.

(3) (A) Order to the United States or its Territories and possessions on leave provided for in 5 U. S. C. 30, 30a, 30b, or as such sections may hereafter be amended, every officer and employee of the agency who was a resident of the United States or its Territories and possessions at time of employment, upon completion of 2 years' continuous service abroad, or as soon as possible thereafter: *Provided*, That such officer or employee has accrued to his credit at the time of such order, annual leave sufficient to carry him in a pay status while in the United States for at least a 30-day period.

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

(C) Where an officer or employee on leave returns to the United States or its Territories and possessions, leave of absence granted shall be exclusive of the time actually and necessarily occupied in going to and from the United States or its Territories and possessions, and such time as may be necessarily occupied in awaiting transportation.

(4) Notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Agency, a privately owned automobile in any case where it shall be determined that water, rail, or air transportation of the automobile is necessary or expedient for any part or of all the distance between points of origin and destination, and pay the cost of such transportation.

(5) (A) In the event of illness or injury requiring the hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred while on assignment abroad in a locality where there does not exist a suitable hospital or clinic, pay the travel expenses of such officer or employee by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 10 of the act of March 3, 1933 (47 Stat. 1510; 5 U. S. C. 73b), to the nearest locality where a suitable hospital or clinic exists and on his recovery pay for the travel expenses of his return to his post of duty. If the officer or employee is too ill to travel unattended, the Director may also pay the travel expenses of an attendant.

(B) Establish a first-aid station and provide for the services of a nurse at a post at which, in his opinion, sufficient personnel is employed to warrant such a station: *Provided*, That, in his opinion, it is not feasible

1949

(C) In the event of illness or injury requiring hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred in the line of duty while such person is assigned abroad, pay for the cost of the treatment of such illness or injury at a suitable hospital or clinic;

(D) Provide for the periodic physical examination of officers and employees of the Agency and for the cost of administering inoculations or vaccinations to such officers or employees.

(6) Pay the costs of preparing and transporting the remains of an officer or employee of the Agency or a member of his family who may die while in travel status or abroad, to his home or official station, or to such other place as the Director may determine to be the appropriate place of interment, provided that in no case shall the expense payable be greater than the amount which would have been payable had the destination been the home or official station.

(7) Pay the costs of travel of new appointees and their dependents, and the transportation of their household goods and personal effects, from places of actual residence in foreign countries at time of appointment to places of employment and return to their actual residences at the time of appointment or a point not more distant; *Provided*, That such appointees agree in writing to remain with the United States Government for a period of not less than 12 months from the time of appointment.

Violation of such agreement for personal convenience of an employee or because of separation for misconduct will bar such return payment and, if determined by the Director or his designee to be in the best interests of the United States, any money expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States.

(b) In accordance with such regulations as the President may prescribe and notwithstanding the provisions of section 1765 of the Revised Statutes (5 U. S. C. 70), the Director is authorized to grant to any officer or employee of the Agency allowances in accordance with the provisions of section 901 (1) and 901 (2) of the Foreign Service Act of 1946.

#### GENERAL AUTHORITIES

SEC. 8. In the performance of its functions, the Central Intelligence Agency is authorized to—

(a) Transfer to and receive from other Government agencies such sums as may be approved by the Bureau of the Budget, for the performance of any of the functions or activities authorized under sections 102 and 303 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred;

(b) Exchange funds without regard to section 3651 Revised Statutes (31 U. S. C. 543);

(c) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are hereby authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(d) Authorize couriers and guards designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;

(e) Make alterations, improvements, and repairs on premises rented by the Agency; and pay rent therefor without regard to limitations on expenditures contained in the act of June 30, 1932, as amended; *Provided*, That in each case the Director shall certify that exception from such limitations is necessary to the successful performance of the Agency's functions or to the security of its activities.

SEC. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 735 of the act of August 28, 1935 (49 Stat. 956, 957; 5 U. S. C. 654), and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency; *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212 of the act of June 30, 1945, as amended (5 U. S. C. 947 (b)).

SEC. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility; *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any one fiscal year.

SEC. 9. The Director is authorized to establish and fix the compensation for not more than three positions in the professional and scientific field, within the Agency, each such position being established to effectuate those scientific-intelligence functions relating to national security, which require the services of specially qualified scientific or professional personnel; *Provided*, That the rates of compensation for positions established pursuant to the provisions of this section shall not be less than \$10,000 per annum nor more than \$15,000 per annum, and shall be subject to the approval of the Civil Service Commission.

#### APPROPRIATIONS

SEC. 10. (a) Notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out its functions, including—

(1) personal services, including personal services without regard to limitations on types of persons to be employed, and rent at the seat of government and elsewhere; health-service program as authorized by law (5 U. S. C. 150); rental of news-reporting services; purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices, including telegraph and teletype equipment; purchase, maintenance, operation, repair, and hire of passenger motor vehicles, and aircraft, and vessels of all kinds; subject to policies established by the Director, transportation of officers and employees of the Agency in Government-owned automotive equipment between their domiciles and places of employment, where such personnel

are engaged in work which makes such transportation necessary, and transportation in such equipment, to and from school, of children of Agency personnel who have quarters for themselves and their families at isolated stations outside the continental United States where adequate public or private transportation is not available; printing and binding; purchase, maintenance, and cleaning of firearms, including purchase, storage, and maintenance of ammunition; subject to policies established by the Director, expenses of travel in connection with, and expenses incident to attendance at meetings of professional, technical, scientific, and other similar organizations when such attendance would be a benefit in the conduct of the work of the Agency; association and library dues; payment of premiums or cost of surety bonds for officers or employees without regard to the provisions of 61 Stat. 646; 6 U. S. C. 14; payment of claims pursuant to 28 U. S. C.; acquisition of necessary land and the clearing of such land, construction of buildings and facilities without regard to 36 Stat. 699; 40 U. S. C. 230, 267; repair, rental, operation, and maintenance of buildings, utilities, facilities, and appurtenances; and

(2) supplies, equipment, and personnel and contractual services otherwise authorized by law and regulations, when approved by the Director.

(b) The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds; and for objects of a confidential, extraordinary, or emergency nature, such expenditures to be accounted for solely on the certificate of the Director and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

#### SEPARABILITY OF PROVISIONS

SEC. 11. If any provision of this act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

#### SHORT TITLE

SEC. 12. This act may be cited as the "Central Intelligence Agency Act of 1949."

Mr. VINSON (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the bill as amended be dispensed with and that the same be printed in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, will that deprive any Member from making a point of order against the bill at this time?

The SPEAKER. A motion to suspend the rules suspends all rules. Therefore, a point of order would not be as to any provision of the bill.

Mr. MARCANTONIO. Including the Ramseyer rule?

The SPEAKER. Including the Ramseyer rule.

The gentleman from Georgia asks unanimous consent that further reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER. Is a second demanded?

Mr. SHORT. Mr. Speaker, I demand a second.



1944

## CONGRESSIONAL RECORD—HOUSE

MARCH 7

Mr. MARCANTONIO. Mr. Speaker, I do not want to embarrass the gentleman from Missouri, but I submit that to demand a second a Member must be opposed to the bill.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. SHORT. I am not; I am very much in favor of it.

Mr. MARCANTONIO. Mr. Speaker, I am opposed to the bill. I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Maryland [Mr. SASSCER] is recognized for 20 minutes; the gentleman from New York [Mr. MARCANTONIO] will be recognized for 20 minutes.

Mr. SASSCER. Mr. Speaker, I yield myself 8 minutes.

The SPEAKER. The gentleman from Maryland is recognized.

Mr. SASSCER. Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947. This section sets out the functions of the Agency. It should be pointed out at once that H. R. 2663, which we are now considering, does not alter or add to these functions in any way. It simply provides for the administrative implementation of the functions which the Congress has already seen fit to give to the Agency.

Secondly, it should be pointed out that CIA functions exclusively under the powers granted it by the National Security Act of 1947 and not under any Executive order whatsoever.

Thirdly, with one or two exceptions to which your attention will be drawn, there is no authority in this proposed bill which at some time or other has not been granted to some other agency of the Government or which some other agencies are not now utilizing through their own implementing legislation. The reason why the hearings have been held in executive session, and why a certain amount of secrecy has been utilized in connection with this bill, is that the discussions with the members of CIA who appeared before the committee went into the operational background of the Agency. Naturally, operational details cannot be talked about in public for they go to the very heart of CIA's activities. Bear in mind, however, that the CIA is prohibited by law from any internal security functions. It deals only in the field of foreign intelligence.

This bill which we are now considering with one difference was introduced into the second session of the Eightieth Congress last year, and was unanimously approved by the Armed Services Committee both in the Senate and the House after detailed hearings. The bill itself

session, but due to the last minute pressure of business could not be called up in the House. After most careful consideration, the present measure has again been unanimously approved, first by a subcommittee and then by the full Armed Services Committee in the House.

As I have said, its purposes are administrative, and its provisions break down into four main categories. In the first place, the Agency seeks to avail itself of the benefits of the Armed Services Procurement Act of 1947 so that it may utilize the most up-to-date procurement facilities in connection with its activities. Secondly, in connection with the sections dealing with foreign travel and similar allowances, the Agency, in availing itself of many of the provisions of the Foreign Service Act of 1946, is seeking to build up a career service in the intelligence field second to none. A second-best intelligence service is almost as bad as none at all. Within the framework of existing Government laws and salaries, we are seeking to place CIA on a career basis, particularly for those of its employees who may spend a large portion of their career on foreign assignment. Thirdly, we are supplying the Agency, by this bill, with certain general administrative authorities which are needed. Finally, we are supplying the Agency with appropriations language to which their budget and fiscal employees, as well as those of the General Accounting Office, may look in the auditing of the Agency's expenses.

In broad terms, therefore, H. R. 2663 seeks to assist this country in the building up and development of a career foreign intelligence service, and to free the Agency from certain restrictions so that it may operate as a mature intelligence service must operate.

Section 1 of this bill merely contains certain very basic definitions of terms used in the act.

Section 2 authorizes a seal of office for the Agency, and provides that judicial notice shall be taken thereof. From time to time it has been necessary for CIA to produce records in court. For example, the records of the monitoring of foreign propaganda broadcasts in their possession have included recordings of the speeches made from Germany by Douglas Chandler and Robert Best. These recordings were the basis of the recent convictions of these two men for their treasonable activities during the late war. In order that authenticated copies of such material can be submitted when called for in court, a seal is necessary of which the court can take judicial notice.

Section 3 of the bill authorizes the Agency to utilize certain of the authorities granted the armed services in the Armed Services Procurement Act of 1947. The main features of this law which are being extended to the CIA are in the field of negotiation for contracts without advertising. The general ceiling for which contracts can be negotiated without advertising today is \$100. The Armed Services Procurement Act raises this ceiling to \$1,000, and it is being extended to include CIA contracts up to this amount. In addition, the act authorizes negotiation of contracts without

not admit of delay, where it is impracticable to secure competition, and for supplies or services the nature of which should not be publicly disclosed. It stands to reason that certain of the technical equipment which this Agency must utilize may be made only by one firm for reasons of security, and certainly some of this equipment should not be openly advertised for. Therefore, it seems only proper that these authorities which the Congress has already extended to the armed services should be further extended to CIA. The remainder of this section sets forth the applicable provisions of the Procurement Act regarding rules for advertising, the type of contracts that can be made, damages, joint procurement, delegations of authorities and limitations thereon.

Section 4 of the bill authorizes the Agency to assign its personnel to schools for special instruction and training, and to pay the cost of such tuition and expenses. This will permit the Agency to send selected employees to such schools as the National War College, advance courses in international relations and related fields, refresher courses in language fields, and special training courses.

Section 5 of the bill presents one of its most important features from a career standpoint. Virtually all of the provisions of this section have been taken directly from similar provisions in the Foreign Service Act of 1946. It provides for the payment of travel expenses for the employees of the Agency and for the members of their families when proceeding to posts of duty abroad, and from post to post abroad. It provides for their being returned to the United States with their families on statutory home leave after 2 years of continuous service abroad.

It must be reemphasized that these provisions are not new departures created for CIA, but are merely extending to the Agency the best features of other career services in the Government. This section also provides for the hospitalization and medical care of the Agency's full-time employees abroad, and includes provisions for the periodical physical examination of all of the employees on foreign posts.

Certain general administrative provisions are granted to the Agency, most of which are similar to authorities granted to other agencies of the Government at one time or another, or which deal with the security of the Agency's operations. For instance, there are provisions permitting the arming of couriers and guards carrying confidential documents. Specific authority is needed to override State statutes which prohibit the carrying of firearms without special licenses. Such a statute is in existence for the FBI, and the armed services have always been allowed to arm officer couriers.

Section 8 of the proposed bill contains a provision which will permit the entry of 100 aliens into the United States for permanent residence. This will be explained more fully by my distinguished colleague, the gentleman from North Carolina [Mr. DUKAKIS]. However, I would like to emphasize that this section

1949

## CONGRESSIONAL RECORD—HOUSE

1945

essence, and should these people be required to go through the many procedures of obtaining visas, having photographs taken, and filing applications—they would be dead before taking their second step. In certain areas of the world such persons can only contact an American once. This section permits quick action to save the lives of persons of high intelligence value to the United States.

Finally we have provided in this bill some basic appropriations language to which the Government Accounting Office and the budget and fiscal offices of the Agency can look in the expenditure of funds. Much of this language is necessary, for without it the expenditure of funds for the purposes set forth herein cannot be allowed. In addition, we have provided the legal basis for the granting to the Agency authority for the spending of those unvouchered funds which the Appropriations Committee of the House will earmark, and without which there can be no successful operation of an intelligence service.

For the reasons I have set forth, I urge the passage of this bill. Above all, it will allow this country to continue and increase the successful operation of its foreign intelligence, upon which some day the security of this country and our very lives may well depend.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Michigan.

Mr. DONDERO. Will it affect the personnel of our American military government in Germany?

Mr. SASSCER. It is my understanding that it will not.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Speaker, I yield myself one additional minute.

Basically it is outlining the administrative procedure. There is a section in the bill relating to bringing in aliens, which my able colleague the gentleman from North Carolina [Mr. DURHAM] will discuss. However, I would like to again emphasize that this section involves a time factor. It in no way encompasses the functions or prerogatives of the immigration authorities or congressional committees. This is a security measure. These men can only contact an American once. Time is the element. If they cannot make a quick exit their heads may be off and valuable information lost.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from New York.

Mr. CELLER. Does the gentleman mean to imply that immigration restrictions built up over the years are not suspended by this bill?

Mr. SASSCER. They are suspended for 100 aliens on the basis of their potential news value for security purposes and not for the purpose of general immigration laws.

The SPEAKER. The time of the gentleman from Maryland has again expired.

Mr. DURHAM. Mr. Speaker, I yield 2 minutes to the gentleman from New York.

Mr. CELLER. Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the lurid reasons? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on the Armed Services. The Committee on the Armed Services has nothing to do with immigration. Now this provision I have read throws out the window, at the discretion of the Director mentioned in this bill and the Attorney General, all the legislative immigration restrictions that we have built up over the years. It throws them to the winds, and if the Attorney General and the Director wish to admit Fascists, Communists, Hitler sadists, morons, moral perverts, syphilitics, or lepers, they can do it. I think the House ought to know what it is legislating about, and I think, in a measure, this indicates how the cold war is unheating the nerves of some of our high military authorities. The secrecy, especially the brand we are treated to, is ridiculous. Secondly these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whither we are going. The military is not infallible. Witness the situation of the charges levied by the military intelligence against one Agnes Smedley recently, that she was a Communist, or a Russian spy, and instead of retracting when they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision which should be stricken from the bill or, if it is not stricken, certain safeguards should have been added.

I have spoken briefly to advise the Armed Forces Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DURHAM. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in the past few days, much has been said about a provision in the proposed act which will permit the entry of 100 aliens annually into the United States without regard to immigration laws. I would like to explain

Section 8 of this bill provides that whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, that alien and his family shall be given entry without regard to their admissibility under the immigration laws and regulations. The number of persons who can come into the country under this provision is limited to 100 persons in any one year. Let me emphasize that what is being waived are the laws regarding the admissibility of an alien into this country, but no laws are being waived regarding his conduct once he is here. The alien must live up to every law of the United States just as every other alien must do, and failure to do so will lead to his deportation for cause. What is the purpose of this section? Briefly, it is this. There are many people all over the world who believe in this country and what it stands for implicitly. Many of them are living in police states. Some of them may have formerly been highly placed in the service of their government. Some of them may even be there now. Many of them have important intelligence information to make available to this country, and such information may be of vital importance to our national security and our policies. These people, be they soldiers or statesmen or scientists, can only approach a representative of America once. If they are seen talking with an American, it may mean the concentration camps, or in some instances death itself. There is no time here to get visas and fill out the forms which the immigration laws require. The element of time is often 24 hours or less. When CIA plans such an operation, security requires that the people knowing it be held to an absolute minimum. The people who will be selected will be most carefully screened by CIA, and only the select few will be chosen. The concurrence in the Director's selection lies with the Attorney General, whose Immigration and Naturalization Bureau must administer the immigration laws once these people have arrived. The Committee feels that this power should be granted to the Director of Central Intelligence, and that the operation of our intelligence agency requires its existence. Its force and effect is testified to by the screams of anguish which have already emanated from Communist sources abroad. The Rumanian radio protested immediately after the Armed Services Committee approved this section. This is what it said:

Dollars fatherland, fatherland of gangsters and of international swindlers, is now officially decreed fatherland of spies from any corner of the world.

A statement by the American Slav Congress, which is on the Attorney General's list as a Communist organization, was forwarded to this committee, and almost upon its very receipt the Moscow radio started to broadcast its text. The Moscow radio says that this provision will make every freedom-loving American

7376

## CONGRESSIONAL RECORD—HOUSE

JUNE 7

duty out of the agency. It is not the intention of the agency to use these employees for duty within the United States other than within the agency. They are simply brought back here for training, and so on, as the functions are carried on in the continental United States.

The other amendment provides that in addition to the approval of the Attorney General on the admission of any of these aliens who may be brought in because of their high potential security value the alien must also be approved by the Commissioner of Immigration.

The bill was carefully considered in the committee, unanimously reported, and passed overwhelmingly in the House. It outlines and spells out the functions of the Central Intelligence Agency, and attempts to build up a career service.

Mr. Speaker, I move the previous question.

The previous question was ordered. The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 74, nays 1.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### NURSERY SCHOOLS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3957) to continue a system of nurseries and nursery schools for the day care of school-age and under-school-age children in the District of Columbia through June 30, 1950, with Senate amendment, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ABERNETHY, GRANGER, and MILLER of Nebraska.

#### TELEPHONE, TELEGRAPH SERVICE, AND CLERK HIRE FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 240) to take from the Speaker's table the bill (H. R. 4583) relating to telephone and telegraph service and clerk hire for Members of the House of Representatives (Rept. No. 735), which was referred to the House calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution the bill (H. R. 4583) relating to telephone and telegraph service and clerk hire for Members of the House of Representatives, with Senate amendments thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendments be, and the same are hereby agreed to.

#### INVESTIGATION OF THE B-36 BOMBERS

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 234) directing the Committee on the Armed Services to conduct thorough studies and investigations

of the B-36 bomber and for other purposes (Rept. No. 736), which was referred to the House calendar and ordered to be printed:

Resolved, That the Committee on Armed Services or any subcommittee thereof is authorized and directed to conduct thorough studies and investigations relating to matters involving the B-36 bomber, including, specifically, all facts relating to when this bomber was purchased, why it has been purchased, how it was purchased, any cancellations of other aircraft procurement that may have been resulted from such purchases, and any and all other collateral matters that such inquiries may develop, and for such purposes the said committee is authorized to sit and act during the Eighty-first Congress at such times and places, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpoena or otherwise the attendance and testimony of such witnesses and the production of such books, records, papers, and documents, as it seems necessary. Subpoenas may be issued over the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The committee shall report to the House of Representatives during the present session of Congress the results of its studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

#### PROGRAM FOR JUNE 8

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask for this time for the purpose of announcing that on the report just received from the Committee on Rules giving to the armed services certain powers of investigation, I shall call the rule up tomorrow. It will be the first order of business. I make this announcement so that the membership of the House will be aware of it.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HOFFMAN of Michigan. What is the number of the bill? Is it H. R. 4583?

Mr. McCORMACK. No.

Mr. VINSON. If the gentleman will yield, it is a resolution.

Mr. McCORMACK. The other bill to which the gentleman from Michigan refers will come up later, but not tomorrow.

#### INTERNATIONAL CHILDREN'S EMERGENCY FUND

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the bill (H. R. 2785) to provide for further

contributions to the International Children's Emergency Fund. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield myself such time as I may desire to use and also 30 minutes to the gentleman from Illinois (Mr. ALLEN).

Mr. Speaker, this resolution calls for consideration of the bill (H. R. 2785) which will merely extend for a 1-year period legislation making funds available for children that have been left destitute by reason of the war.

There have been over 4,500,000 children taken care of through this fund. It was originally established by the United Nations Organization in 1946, and called the Children's Emergency Fund. The purpose of the fund is to aid these children in their formative years, and also mothers during pregnancy and nursing period.

I believe the greatest statement that was ever made on behalf of this legislation at the time it was considered was by former Secretary of State George C. Marshall. When he was addressing the United Nations General Assembly he stated:

Children whose bodies have been starved and warped are likely to develop, if they survive, into a generation of embittered adults. Our national interests, as well as our humanitarian instinct, demands that we do not permit this to happen. If we fail to do our part for the nourishment, and care and normal development today of the children with whom our children will have to live tomorrow, we shall have failed in statesmanship as well as in humanity.

Mr. Speaker, this legislation is not to be considered as of permanent effect in any way but is merely to extend what has already been in the process of operation. This bill would merely extend the time until June 1950.

I may say further that the operation of this fund has been nonpolitical in every way. The committee has made an investigation on various reports as to the administration of the fund and we have been advised that the personnel operating the disposal of the fund to these children make their check from the distribution and supply depots and that the fund is disbursed equitably to the various sources that are in need of aid.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Illinois.

Mr. SABATH. This does not call for any additional appropriation. There is an unexpended balance out of last year's appropriation of about \$21,000,000. This would only authorize

1949

## CONGRESSIONAL RECORD—HOUSE

7329

tal United States on leave should be available for work or duties in the agency or elsewhere. The Senate amendment provided that officers or employees of the Agency who are in the continental United States on leave should be available for work or duties only in the Agency or for training or for reorientation for work. The conference agreement adopts the provisions of the Senate amendment.

Amendments Nos. 2 and 3: The House bill provided that whenever the Director of the Central Intelligence Agency and the Attorney General should determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family could be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations and without regard to their failure to comply with such laws and regulations pertaining to admissibility. The House bill limited the number of aliens admissible under such authority to not more than 100 in any one fiscal year. The effect of Senate amendments Nos. 2 and 3 was to add the Commissioner of Immigration to the officials who would determine what aliens should be admitted under this authority. The conference agreement adopts the Senate amendments.

CARL T. DURHAM,  
LANSDALE G. SASSCER,  
FRANK R. HAVENNER,  
L. C. ARENS,  
CHAS. H. ELSTON,

*Managers on the Part of the House.*

Mr. SASSCER. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, this bill originally came before the House under the suspension of the rules procedure. At that time I pointed out in my opposition to the bill that in the report accompanying the bill, there was a statement to the effect that not all of the provisions of this bill would be explained to the Members of Congress. We were presented with a most extraordinary situation. The House voted to pass this hush-hush bill, despite the fact that all of its provisions had not been explained and would not be explained to the membership. I stated then that this bill was subversive of our Bill of Rights. The Senate amendments have not cured that. The situation with respect to elementary democracy, as it is endangered by this bill, remains the same. I opposed the bill then, and I have opposed this bill at every step, and I oppose it now in its final stage.

In the last analysis, Mr. Speaker, the security of this Nation rests on the strength of its democratic institutions. This bill undermines those democratic institutions. It substitutes for our constitutional guarantees a Gestapo system. It is being sold to the country by hysteria, and it is being imposed on the people as preparation for a war which the American people do not want. Mr. Speaker, I shall vote against the adoption of the conference report.

Mr. SASSCER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0  
unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, in a colloquy which took place in the other body several days ago a Senator inquired of another Senator as to the reason why the Attorney General's recommendation pertaining to suspension of deportation was not being acted on in the House. The reply was that the House was not going along with the policy of the Senate. The fact of the matter is that under existing law where the Attorney General suspends the deportation of an alien under section 19 (c) of the Immigration Act of 1917, as amended, it is incumbent on each body to review the action thus taken, and unless each body affirmatively approves of such suspension of deportation, then the deportation is proceeded with. At the last session of the Congress our distinguished colleague, the gentleman from Maine [Mr. FELLOWS] introduced legislation which had the purpose of giving each body the authority to review the action taken by the Attorney General, but did not make it incumbent on the House as well as the Senate to act affirmatively. The House of Representatives at this session passed practically the same bill. In an informal conference attended by the ranking members of both sides of the Committee on the Judiciary, it was agreed that either body would have the authority to object to the Attorney General's ruling but that neither body would be obliged to act affirmatively. The Senate is adamant in its position, but my bill, H. R. 2875, similar to the Fellows bill of last year, is now pending in the Senate Committee on the Judiciary. Recently I suggested a compromise amendment to this bill and I sincerely hope that the other body will bring about its early passage, thus helping to break the logjam. We want to retain the power to object to the Attorney General's rulings, but the House does not want to be obligated to act affirmatively on nearly 2,000 cases per session. Certainly it seems to me that Members of Congress, both of the House and Senate, should know what the real situation is.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. VORYS. This may not be on the same subject, but I wanted to know whether there is a practice now to stay deportations in cases where bills are introduced. I understand there was a practice for many years, but that practice is no longer followed by the immigration authorities.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SASSCER. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. WALTER. The Committee on the Judiciary 2 years ago, when our distinguished colleague the gentleman from Michigan [Mr. MICKENNA] was practicing of staying deportations where a bill was introduced, and it was decided

that unless the Member who introduced the bill requested a hearing, and we so notified the Immigration Service, the proceedings would continue. It was only in those cases where it was apparent that the Member intended to vigorously press for the enactment of the private legislation that deportation would be stayed. However, that is not the practice in the other body. There it is necessary only to introduce a bill in order to stay deportation. Incidentally, there have been a number of cases where the House has refused to intercede, and even after bills have been introduced and unfavorably acted upon by our committee, a Senator has introduced a bill, and the deportation of some alien who, in the judgment of the House Judiciary Committee ought to be deported, has been stayed.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield.

Mr. McCORMACK. Of course, when you introduce these bills, it takes quite a long time to have reports received from the appropriate agencies. That is correct, is it not?

Mr. WALTER. Yes.

Mr. McCORMACK. I do know that it has created a rather compromising situation for Members of the House who have introduced a bill to know that that of itself does not stay the deportation until an opportunity has been had to receive reports sought and hearings held.

Mr. WALTER. I do not think the gentleman is correct in that, because, if a bill is introduced and a request is made of the Judiciary Committee, then the committee notifies the Immigration and Naturalization Service, and all proceedings are stayed until action has been taken on the bill.

Mr. McCORMACK. I am glad to hear that, because that clarifies an honest misapprehension that existed in my mind and must have existed in the minds of other Members. We all have communications on this subject at some time or another, perhaps two or three times a year, and, frankly, I have written to friends of mine stating that while I would be glad to introduce a private bill and submit it to the committee, and I have asked them to give me the evidence in affidavit form to present to the subcommittee, that they had better get somebody on the other side to introduce a bill to get a stay of deportation. It has been rather embarrassing. From now on I will utilize the information the gentleman has given me, and relieve that embarrassment to which I have been subjected.

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. SASSCER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the conference report as it comes before the House has two minor amendments which were offered by the Senate and adopted by the conference. These amendments do not change the scope or substance of the bill. One provision of the Central Intelligence Agency is on leave in the United States; he cannot be assigned to



7368

## CONGRESSIONAL RECORD—HOUSE

JUNE 7

By unanimous consent, the proceedings whereby the bill (H. R. 1975) was passed were vacated, and the bill was laid on the table.

**TEIKO HORIKAWA AND YOSHIKO HORIKAWA**

The Clerk called the bill (H. R. 2084) for the relief of Teiko Horikawa and Yoshiko Horikawa.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding any provision of law to the contrary, the aliens Teiko Horikawa and Yoshiko Horikawa, minor twin stepdaughters of David Bailey Carpenter, a World War II veteran who married Yoshi Horikawa Higo (now Mrs. Yoshi Horikawa Carpenter), a Japanese national and the mother of such minor stepdaughters, on August 6, 1947, shall be admitted to the United States for permanent residence.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of the immigration and naturalization laws the provisions of section 13 (c) of the Immigration Act of 1924, as amended, which exclude from admission to the United States persons who are ineligible to citizenship, shall not apply to Teiko and Yoshiko Horikawa, minor twin stepdaughters of David Bailey Carpenter, a World War II veteran who married Yoshi Horikawa Higo, a Japanese national and the mother of such minor stepdaughters, on August 6, 1947, and that if otherwise admissible under the immigration laws they shall be granted admission into the United States for permanent residence upon application hereafter filed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**SADAE AOKI**

The Clerk called the bill (H. R. 2709) for the relief of Sadae Aoki.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, or any of the other provisions of the immigration laws relating to the exclusion of aliens ineligible to citizenship, the Attorney General is authorized and directed to permit the entry into the United States for permanent residence of Sadae Aoki, the Japanese fiancée of A. George Kato, a citizen of the United States and an honorably discharged veteran of World War II: *Provided,* That the administrative authorities find that the said Sadae Aoki is coming to the United States with a bona fide intention of being married to A. George Kato and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above named parties does not occur within 3 months after the entry of said Sadae Aoki, she shall be required to depart from the United States and upon failure to do so shall be deported at any time after entry in accordance with the provisions of sections 19 and 20 of the Immigration Act of February 5, 1917 (U. S. C., title 8, secs. 155 and 156).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**SALE OF CERTAIN LANDS TO SISTERS OF ST. JOSEPH IN ARIZONA**

The Clerk called the bill (H. R. 3982) to authorize the Secretary of Agriculture to sell certain lands to the Sisters of St. Joseph in Arizona, Inc., Tucson, Ariz., to consolidate the Desert Laboratory Experimental Area of the Southwestern Forest and Range Experiment Station, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of Agriculture is hereby authorized, in his discretion, to sell and convey, in whole or from time to time in separate parcels, by quitclaim deed or deeds, to the Sisters of St. Joseph in Arizona, of the city of Tucson, State of Arizona, an Arizona corporation, for cash, at a price or prices not less than the appraised value thereof as determined by him, the following-described lands situated in the county of Pima, State of Arizona, to wit: That portion of tract 37, section 10, township 14 south, range 13 east, Gila and Salt River meridian, Arizona, as shown on the official public survey plat approved August 5, 1911, lying north of a line extending westerly from corner numbered 7 of the official survey to the west line of said tract at a point twelve and forty one-hundredths chains south of official corner numbered 2, containing fifteen and eighty-six one-hundredths acres, more or less, subject, however, to a reservation to the United States of all uranium, thorium, and all other materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 755, 761), to be peculiarly essential to the production of fissionable material, as provided in Executive Order No. 9808 (12 F. R. 8223). Subject also to a right-of-way 40 feet in width outstanding in Pima County for the Silver Bell Road as now located and defined, and to the reservations contained in the United States patent to said lands. The proceeds of such sale or sales shall be available to the Secretary of Agriculture for the purchase of any lands described in the second section of this act which are not owned by the United States and the construction of improvements for the Desert Laboratory of the Southwestern Forest and Range Experiment Station in replacement of the lands and facilities disposed of hereunder.

Sec. 2. That, subject to any valid existing claim or entry, all lands of the United States situated within the area hereafter described are hereby added to and made parts of the Coronado National Forest, State of Arizona, and all lands in the described area hereinafter under the first and third sections of this act shall thereupon become parts of the said national forest and shall be subject to the laws and regulations relating to the national forests, but shall be reserved from entry and location under the public lands and mining laws of the United States as an experimental area for watershed management and range research:

South half southeast quarter section 9; that portion of tract 37, section 10, township 14 south, range 13 east, Gila and Salt River meridian, Arizona, as established by the General Land Office, Department of the Interior, as approved by the Acting Assistant Commissioner on August 5, 1944, lying south of a line extending westerly from corner numbered 7 of the official survey to the west line of said tract at a point twelve and forty one-hundredths chains south of official corner numbered 2, containing nine and sixty one-hundredths acres, more or less; four acres, more or less, out of the south half southeast quarter northwest quarter southeast quarter, south half southwest quarter, southwest quarter southeast quarter, section 10, west half northwest quarter

northeast quarter, west half section 15 and east half section 16, all in township 14 south range 13 east, Gila and Salt River meridian.

Sec. 3. That the provisions of the act approved March 20, 1922 (42 Stat. 163, 16 U. S. C. 485), as amended are hereby extended and made applicable to all lands within the area described in the second section of this act which are not owned by the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**EXTENSION OF REMARKS**

Mr. DAVIS of Wisconsin (at the request of Mr. SMITH of Wisconsin) was given permission to extend his remark in the Record.

**ADMINISTRATION OF THE CENTRAL INTELLIGENCE AGENCY**

Mr. SASSER. Mr. Speaker, I call to the conference report on the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, and ask unanimous consent that the statement of the managers of the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

**CONFERENCE REPORT (H. REP. NO. 725)**

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

CARL A. DUNFORD,  
LANEWADE G. SASSER,  
FRANK R. HAYES JR.,  
L. C. ARNOLD,  
CHAS. H. ELLISTON.

**Managers on the Part of the House.**

M. E. TYDINGS,  
RICHARD B. RUSSELL,  
HARVEY F. BYRN,  
STYLIS BRIDGES,  
CHAS. GURNEY.

**Managers on the Part of the Senate.**

**STATEMENT**

The managers on the part of the House the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference as recommended in the accompanying conference report:

Amendment No. 1: The House bill provided that officers and employees of the Central Intelligence Agency should be appointed

1949

## CONGRESSIONAL RECORD—SENATE

7219

Federal Works Administration and the head of such corporation: *Provided, however, That in the event the Federal Works Administrator and the head of such corporation shall fail to agree, the fair market value of such property shall be determined by the Secretary of the Treasury;* and agree to the same.

DENNIS CHAVEZ,  
STESSARD L. HOLLAND,  
HARRY P. CAIN,  
EDWARD MARTIN,

*Managers on the Part of the Senate.*

WILL M. WHITTINGTON,  
CHARLES A. BUCKLEY,  
HENRY D. LARCADE, Jr.,  
GEO. A. DONDERO,  
HOMER D. ANGELL,

*Managers on the Part of the House.*

The PRESIDING OFFICER (Mr. HILL in the chair). Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. TAFT. Mr. President, I notice that the report is signed by two Republicans and two Democrats, conferees on the part of the Senate. Was the report unanimous, so far as the Senate conferees were concerned?

Mr. CHAVEZ. It was a unanimous report. One of the conferees—the Senator from Kentucky [Mr. CHAPMAN]—happened to be out of the city when we had the conference. That is why he did not sign the report.

Mr. TAFT. There was no objection, otherwise?

Mr. CHAVEZ. There was no objection.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.  
CENTRAL INTELLIGENCE AGENCY—  
CONFERENCE REPORT

During the delivery of the speech of Mr. THOMAS of Utah,

Mr. TYDINGS. Mr. President, will the Senator yield for consideration of a conference report, which will not require very much time?

Mr. THOMAS of Utah. I yield, if by so doing I am not taken off the floor.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the Senator from Utah may yield, without losing the floor thereby, for consideration of a conference report in which the Senate viewpoint has been adopted by the House. The conference report is on the Central Intelligence Agency bill, House bill 2563, which passed the Senate 3 or 4 days ago.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, do I correctly understand the Senator from Maryland to state that the Senate viewpoint was acceded to by the House?

Mr. TYDINGS. The House acceded to the Senate amendment.

Mr. President, I submit the conference report on the Central Intelligence Agency bill, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

amendments of the Senate to the bill (H. R. 2563) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3; and agree to the same.

M. E. TYDINGS,  
RICHARD B. RUSSELL,  
HARRY P. BYRD,  
STILES BRIDGES,  
CHAS. GUERNEY,

*Managers on the Part of the Senate.*

CARL T. DUNHAM,  
LANDALE G. SASSOCCA,  
FRANK R. HAVENNER,  
L. C. ARENS,  
CHARLES H. ELSTON,

*Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. WHERRY. Mr. President, I ask the Senator from Maryland to make a brief statement respecting the report.

Mr. TYDINGS. Mr. President, the Senate will recall that at the instance of the Senator from North Dakota [Mr. LANGER], two small amendments of interpretation were placed in the bill. One was for the purpose of providing a wider check on immigration; the other confined the activities of the organization to external matters. The House adopted both amendments, which the Central Intelligence Agency was happy to approve, because the purposes sought by the amendments had originally been intended to be included.

Mr. WHERRY. That is all that is involved?

Mr. TYDINGS. Yes.

Mr. WHERRY. The Senate's viewpoint was adopted by the House?

Mr. TYDINGS. That is correct.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. TYDINGS. Mr. President, I ask unanimous consent that this matter may appear in the RECORD at the conclusion of the address now being delivered by the Senator from Utah.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSE BILL AND JOINT RESOLUTION  
REFERRED

The following bill and joint resolution were each read twice by their titles, and referred to the Committee on the Judiciary:

H. R. 4567. An act to amend the Displaced Persons Act of 1948; and

H. J. Res. 179. Joint resolution designating June 14 of each year as Flag Day.

NATIONAL LABOR RELATIONS ACT  
OF 1949

The Senate returned the consideration of the bill (S. 249) to diminish the causes of labor disputes by preventing or obstructing the free exercise of the right of free speech, free assembly, and free association.

Mr. THOMAS of Utah. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Atken	Hendrickson	McClintock
Anderson	Hill	Nease
Baldwin	Humphrey	O'Donoghue
Butler	Ives	Pepper
Chapman	Jenner	Randall
Chavez	Johnson, Tex.	Schweppel
Donnell	Johnston, S. C.	Sparkman
Douglas	Kerr	Taft
Downey	McCarran	Thomas, Utah
Ferguson	McClintock	Tracy
Flanders	McFarland	Tydings
Frear	McGrath	Wiley
Fulbright	McKellar	
Green	Martin	

The PRESIDENT pro tempore. A quorum is not present. The clerk will call the names of the absent Senators.

The names of the absent Senators were called, and Mr. ROBINSON, Mr. KEFAUVER, Mr. LUCAS, Mr. WILLIAMS, and Mr. WITTHAS answered to their names when called.

The PRESIDENT pro tempore. A quorum is not present.

Mr. LUCAS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. NEASE, Mr. MCCARTHY, Mr. ECTON, and Mr. KINGMAN entered the Chamber and answered to their names.

Mr. BRICKER, Mr. ELLENDER, Mr. HAYDEN, Mr. HOEY, Mr. TAYLOR, and Mr. THOMAS of Oklahoma, also entered the Chamber and answered to their names.

The PRESIDENT pro tempore. A quorum is present.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment to Senate bill 249. The amendment is offered in behalf of myself, the Senator from Vermont [Mr. ARKEN], the Senator from Alabama [Mr. HILL], the Senator from Kentucky [Mr. WITTHAS], the Senator from New Hampshire [Mr. TOSBY], the Senator from Maine [Mr. SMITH], the Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MCNEEL], and the Senator from Illinois [Mr. DOUGLAS].

The PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

Mr. MCCARRAN. Mr. President, I respectfully refer to the unanimous-consent agreement which was had this morning to the effect that on the conclusion of the speech by the Senator from Utah [Mr. THOMAS] in connection with the pending bill, the unfinished business would be laid aside and we would have an opportunity to present the appropriation bill for the Departments of State, Justice, Commerce, and the Judiciary, which is now pending on the calendar. At this hour it is entirely too late to go forward with that unanimous-consent agreement. I have had a short conference with the Senate Finance Committee.

7166

## CONGRESSIONAL RECORD—HOUSE

JUNE 2

brought this to the attention of the ranking minority member of the committee?

Mr. SASSCER. In reply to the gentleman from Massachusetts I wish to state that the matter has been checked with the minority members of the committee. I have cleared it with the majority leader on this side and with the minority leader as well, as the gentleman will recall, on yesterday.

Mr. MARTIN of Massachusetts. The minority Members are agreeable to this change?

Mr. SASSCER. Yes.

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, I opposed this legislation when it was before the House. I consider it most dangerous and subversive of our Constitution. It places manacles around the liberties of Americans. It is Fascist in character. I cannot permit it to be sent to the President with my consent. Therefore, I am constrained to object.

The SPEAKER. Objection is heard.

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2663, being an act to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. SASSCER]? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DURHAM, SASSCER, HAVENNER, ARENDS, and ELSTON. OVERTIME-COMPENSATION PROVISIONS OF THE FAIR LABOR STANDARDS ACT

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 858, being an act to clarify the overtime-compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in the longshore, stevedoring, building, and construction industries, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out all after "employee" down to and including "industries" in line 9.

Page 2, after line 17, insert:

"Sec. 2. No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended (in any action or proceeding commenced prior to or on or after the date of the enactment of this act), on account of the failure of said employer to pay an employee compensation for any period of overtime work performed prior to the date of enactment of this act, if the compensation paid prior to such date for such work was at least equal to the compensation which would have been payable for such work had the amendment made by section 1 of this act been in effect at the time of such payment."

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. LESINSKI]?

bill was originally before the House I opposed it. We were then told there would be no retroactive features brought into the bill. The Senate amendment makes the bill retroactive. I object, Mr. Speaker; I shall also object to sending the bill to conference. I think the House should have an opportunity to debate this bill again, particularly in view of the fact that when we considered it originally the retroactive feature was not before the House and not considered by the House. I submit that the retroactive provision should be considered and fully debated by the House. I therefore object, Mr. Speaker.

## FLAG DAY

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 170, designating June 14 of each year as Flag Day.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this legislation?

Mr. WALTER. The resolution simply calls on the President to issue a proclamation requiring the display of the flag on all Government buildings on Flag Day. Mr. MARTIN of Massachusetts. Does he not do that now?

Mr. WALTER. No, sir; not on June 14.

Mr. MARTIN of Massachusetts. Is this done by the various States?

Mr. WALTER. It is done by the various States.

Mr. MARTIN of Massachusetts. And this is to make it national?

Mr. WALTER. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the 14th day of June of each year is hereby designated as "Flag Day," and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and urging the people to observe the day as the anniversary of the adoption on June 14, 1777, by the Continental Congress of the Stars and Stripes as the official flag of the United States of America.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## EXTENSION OF REMARKS

Mr. LANE asked and was granted permission to extend his remarks in the Record in two instances; in the first to include a resolution and in the second a radio speech.

Mr. MULTER asked and was granted permission to extend his remarks in the Record in one instance and to include extraneous matter.

## PERMISSION TO ADDRESS THE HOUSE

Mr. MULTER. Mr. Speaker, I ask

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. MULTER addressed the House. His remarks appear in the Appendix.]

## EXTENSION OF REMARKS

Mr. FRAZIER asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial appearing in the Daily Post-Athenian of Athens, Tenn., under date of May 25, 1949.

Mr. LANHAM asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial from the Atlanta Journal.

Mr. RIBICOFF asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in each to include extraneous matter.

Mr. BIEMILLER asked and was given permission to extend his remarks in the Appendix of the Record and include two resolutions by the Wisconsin Committee on the Hoover Commission Report.

Mr. CHESNEY asked and was given permission to extend his remarks in the Record and include an article from the Chicago Daily News.

Mr. ASPINALL asked and was given permission to extend his remarks in the Appendix of the Record and include an article written by a high-school student entitled "Conserving Our Soil."

Mr. ELLIOTT asked and was given permission to extend his remarks in the Appendix of the Record and include a statement.

Mr. WOOD asked and was given permission to extend his remarks in the Appendix of the Record and include a letter from the regional officer of the Kanto military government region headquarters of Japan.

Mr. TAURIELLO asked and was given permission to extend his remarks in the Record and include two editorials from the Buffalo Evening News by Thomas Stokes.

Mr. HAYS of Arkansas asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in one to include extraneous matter.

Mr. MCKINNON asked and was given permission to extend his remarks in the Record and include an article from a newspaper.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the Record and include an article by Leon Keyserling, a member of the President's Council of Economic Advisers, notwithstanding the fact that it exceeds the limit fixed by the Joint Committee on Printing and is estimated by the Public Printer to cost \$187.50.

## REPEAL OF CERTAIN EXCISE TAXES

Mrs. DOUGLAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from

1949

## CONGRESSIONAL RECORD—HOUSE

7165

The motion was agreed to; and the Senate proceeded to consider the bill (S. 249), to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. LUCAS. Mr. President, as everyone knows, this is the bill commonly known as the bill to repeal the Taft-Hartley law. There will be no consideration given to it this afternoon. As I stated yesterday, the Senate will take a recess until Monday next.

Mr. WHERRY. Is it contemplated that House bill 4016, the bill making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, will be considered, probably, on Monday?

Mr. LUCAS. I cannot advise the Senator definitely, but obviously as we move along with the labor bill, consideration of which will probably require a couple of weeks, we may have to sandwich in between the appropriation bill and some other bills.

Mr. WHERRY. I make that inquiry, because some Senators are anxious to know what is proposed to be done with respect to the appropriation bill.

Mr. LUCAS. I cannot say definitely. It is possible that we might take up the appropriation bill on Monday afternoon, but I do not think very many Senators will be away from the Senate Chamber or at least they will not be very far away from the Senate Chamber when the labor bill is being debated.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. WHERRY. A motion has been agreed to to take up the proposed repeal of the Taft-Hartley Act. Does that supplant the unfinished business?

Mr. LUCAS. There was no unfinished business.

Mr. WHERRY. I thought the unfinished business was the reciprocal trade agreements bill.

Mr. LUCAS. No. That was displaced some days ago when a motion was made and agreed to consider another bill.

Mr. WHERRY. The labor bill is, then, the unfinished business?

Mr. LUCAS. The Senator is correct.

Mr. THYE. Mr. President, may I inquire whether the Senate has received the conference report on the Commodity Credit Corporation bill?

Mr. LUCAS. It has been received and agreed to.

Mr. THYE. I was called to the telephone. I know that the Senate was awaiting receipt of the conference committee report. I have just returned to the Chamber. Before the Senate takes a recess I wish to make inquiry about what has happened.

Mr. LUCAS. That demonstrates how expeditiously the Senate can transact business sometimes.

Mr. THYE. I appreciate that. I am sure that I speak for all the agricultural interests in the Nation when I say that they are very happy that the Commodity Credit Corporation bill has been finally

Mr. WHERRY. Mr. President, I am sure the distinguished majority leader does not mean to convey the idea that we can transact business faster when the Senator from Minnesota is absent from the Chamber than we can when he is present. [Laughter.]

Mr. THYE. I am certain that the Senator from Illinois did not intend any such meaning by his statement.

Mr. LUCAS. The distinguished Senator from Minnesota is one of the most cooperative men I know. I have served with him for a number of years on the Committee on Agriculture and Forestry, and I always appreciate his counsel and advice.

Mr. THYE. I am very grateful to the Senator from Illinois for those remarks.

## POSTMASTER

Mr. LUCAS. Mr. President, as in executive session, I ask unanimous consent for the present consideration of the nomination of a postmaster on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered. The nomination will be stated.

The legislative clerk read the nomination of Harry F. Schiewetz to be postmaster at Dayton, Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed and, without objection, the President will be notified.

## RECESS TO MONDAY

Mr. LUCAS. I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until Monday, June 6, 1949, at 12 o'clock meridian.

## CONFIRMATIONS

Executive nominations confirmed by the Senate June 2, 1949:

## UNITED STATES DISTRICT JUDGE

Abraham Benjamin Conger to be United States district judge for the middle district of Georgia.

## IN THE NAVY

## TEMPORARY APPOINTMENTS

The nominations of Cecil C. Abbott, Jr., and other officers of the Navy for temporary appointment to the grade of lieutenant commander, subject to qualification therefor as provided by law, which were confirmed today, were received by the Senate on May 20, 1949, and appear in full in the Senate proceedings for that date under the caption "Nominations," beginning with the name of Cecil C. Abbott, Jr., which appears on page 6541, and ending with the name of Herman R. Norwood, which is shown on page 6545.

## PERMANENT APPOINTMENTS

The nominations of Paul B. Nibecker and other officers for permanent appointment in the Navy, which were confirmed today, were received by the Senate on May 23, 1949, and which appear in full in the Senate proceedings of the Congressional Record for that date under the caption "Nominations," beginning with the name of Paul B. Nibecker, which is shown on page 6630, and ending with the name of William J. Moran, which appears on page 6635.

## POSTMASTER

## HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 2, 1949

The House met at 12 o'clock noon. The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O immortal Son of God, who came to this earth, revealing the love of the Father's heart, give us eyes to see the light and hearts to love the truth. In this turbulent world, amid the hard questions and trembling distrust of many of our people, and for those who are in the twilight of vision and fail to see, for them we humbly pray. Deliver us from prejudices, from ignorant misunderstandings, and failure to bear valiantly our responsibilities as citizens. O increase our fidelity and gratitude toward our country, which is seeking to bring release to peoples in bondage. Assure us that no dire calamity, no hopeless grief or needless breath of ill can defeat the soul that rests in Thee, in the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4533. An act relating to telephone and telegraph service and clerk hire for Members of the House of Representatives.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1008. An act to define the application of the Federal Trade Commission Act and the Clayton Act to certain pricing practices.

## CENTRAL INTELLIGENCE AGENCY

Mr. SASSER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2553) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 7, strike out lines 3 to 7, inclusive, and insert:

"(B) While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave."

Page 12, line 17, strike out "Director and" and insert "Director."

Page 12, line 13, after "General," insert ", and the Commissioner of Immigration."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. MARTIN of Massachusetts. I object.



1949

CONGRESSIONAL RECORD—SENATE

725

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 3181) to provide for more effective conservation in the arid and semiarid areas of the United States, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. MAURR, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DURHAM, Mr. SASSER, Mr. HAVENNER, Mr. ARENDS, and Mr. ELSTON were appointed managers on the part of the House at the conference.

ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

The PRESIDING OFFICER (Mr. HOLLAND in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LUCAS. Mr. President, on behalf of the Senator from Maryland (Mr. TYNDEN), I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair will name the conferees on the part of the Senate later in the session today. Subsequently, the Senate

Subsequently, the Presiding Officer (Mr. Long in the chair) appointed Mr. TYNDINGS, Mr. RUSSELL, Mr. BYRD, Mr. BRIDGES, and Mr. GUANEY conferees on the part of the Senate.

### CALL OF THE ROLL.

Mr. LUCAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The roll was called, and the following Senators answered to their names:

Alken	Hayden	McFarland
Anderson	Hickenlooper	McGrath
Brewster	Hill	McKellar
Bricker	Hoev	Malone
Bridges	Holland	Martin

Shages	Holland	Martin
Byrd	Humphrey	Maybank
Cain	Ives	Milikin
Cordon	Jenner	Murray
Donnell	Johnson, Tex.	Myers
Eastland	Johnston, S. C.	Neely

Eastland	Johnston, S. C.	Neely
Eaton	Kefauver	O'Connor
Ferguson	Kem	Pepper
Flanders	Kilgore	Reagan
Frear	Knowland	Russell
Fulbright	Long	Schmid

Taylor	Tyke	Wiley
Thomas, Okla.	Tobey	Williams
Thomas, Utah	Tydings	Young

The PRESIDING OFFICER (Mr. LONG in the chair). A quorum is present.

## SECOND DEFICIENCY APPROPRIATIONS

Mr. McKELLAR. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 4016) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 4046) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. McKELLAR. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will proceed to state the committee amendments.

The first amendment of the Committee on Appropriations was, under the heading "Legislative branch—House of Representatives," on page 1, after line 8, to insert:

\* For payment to Eileen Mercado-Parra Coffey, widow of Robert L. Coffey, Jr., late a Representative from the State of Pennsylvania, \$12,500.

The amendment was agreed to.

The next amendment was, under the subhead "Architect of the Capitol—Capitol Building and Grounds," on page 2, after line 24, to insert:

The limitation of \$1,500 placed on expenses for travel on official business under the Architect of the Capitol contained in the Legislative Branch Appropriation Act, 1949, is hereby increased to \$2,800.

The amendment was agreed to.

The next amendment was, on page 3, after line 20, to insert:

### FUNDS APPROPRIATED TO THE PRESIDENT

## RELIEF OF PALESTINE REFUGEES

To enable the President to carry out the provisions of the joint resolution of March 24, 1949 (Public Law 25), authorizing a special contribution by the United States to the United Nations for the relief of Palestine refugees, \$14,000,000, to remain available until June 30, 1950, of which \$2,000,000 shall be used to repay, without interest, the Reconstruction Finance Corporation for advances made pursuant to section 1 of said public law.

Mr. HUMPHREY. I desire to direct some remarks to that portion of the deficiency bill pertaining to the relief of Palestine refugees, wherein the sum of \$14,000,000 has been provided, by Senate amendment to the bill H. R. 4046. I understand the original House provision was in the amount of \$10,000,000, instead of the \$14,000,000, which has now

Release 2002/10/10 : CIA-RDP90-00000R000100010001-5

appropriation at all. It came to us as a special estimate, after the House had acted. The House did not act on it at all.

Mr. HUMPHREY. Is it not true that the House Committee on Foreign Affairs, however, did have some discussion of this question and recommended the original authorization of \$16,000,000?

Mr. McKELLAR. A law was passed providing such an authorization, but no estimate was passed upon by the House. The estimate came to the Senate, and the Senate allowed, by way of amendment, the amount that has been stated.

Mr. HUMPHREY. Mr. President, I should like to make a few remarks in reference to an amendment I desire to offer. I offer the amendment at this time, in line 1, page 4, to strike out the "\$14,000,000" and insert in lieu thereof "\$16,000,000." I wish to address myself to the amendment.

The PRESIDING OFFICER. The clerk will state the amendment to the committee amendment.

The LEGISLATIVE CLERK. On page 4, in line 1, it is proposed to strike out "\$14,000,000", and insert "\$16,000,000".

Mr. HUMPHREY. The Government of the United States and other governments have made at least tentative commitments to assist in the relief and rehabilitation of some 300,000 citizens of the Arabian countries who have been displaced because of the international situation which has occurred in connection with the creation of the State of Israel. As we all know, there was a recommendation and authorization of \$16,000,000 adopted by the Congress, and now the task is to appropriate the money to fulfill the authorization. It is my considered judgment that we have now an opportunity fully to support the efforts being made by the United Nations for the relief of a very unhappy and tragic situation in the Near East. Here is an opportunity to deal with a very delicate situation in the Near East which has often been referred to as one of the kegs of dynamite or powder kegs in the international situation. Furthermore, as a government we have made certain promises to other members of the United Nations and I think it is very important that we fulfill those promises.

There has been established a special commission of the United Nations, known as the United Nations Relief for Palestine Refugees. This United Nations organization has set as an objective a fund of some \$32,000,000, of which the United States was to be asked for \$16,000,000. I think it should be noted that approximately \$13,000,000 of the \$16,000,000 which other countries are committed to has already been subscribed, or is in the process of being subscribed. I realize that \$14,000,000 is a very generous contribution on the part of our Government, but those who have testified in reference to the tragic situation in the Near East and the large number of displaced persons in that area tell us that the over-all budget of \$32,000,000, which was established by the United Nations Relief for Palestine Refugees, is a

6956

## CONGRESSIONAL RECORD—SENATE

MAY 27

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2663) was read the third time and passed.

## RECIPROCAL TRADE AGREEMENT POLICY

Mr. MALONE. Mr. President, when the 1934 Trade Agreements Act comes before the Senate for the proposed 3-year extension, I intend to offer the flexible import-fee bill, which I am today placing before this body as a substitute policy. I ask unanimous consent to introduce the flexible import-fee bill, and to have it printed in the body of the Record. The flexible import-fee principle establishes a clear-cut American policy which would provide a definite basis for cooperation among the nations of the world and a definite market for foreign goods in this country.

## THE THREE-PART "FREE TRADE" PROGRAM

As a result of the administration's three-part "free trade" program, under which we are openly encouraging a large increase in imports from the European countries and urging them to become self-sufficient within and among themselves and to manipulate the price of their currency for trade advantage—many believe that this Nation is heading into a serious depression.

## FREE TRADE AND UNEMPLOYMENT

It is reported that there are more than 4,000,000 unemployed at this time and probably in excess of 10,000,000 partially unemployed in this country due principally to actual and threatened imports of products from the low-wage standard of living European and Asiatic nations.

## DEFINITE MARKET FOR FOREIGN GOODS

Under the proposal of the flexible import fee adjustment of rates, a definite market basis is established in the United States for the goods of all foreign nations, but they are the judges of their own living standards. However, under such a provision they would be encouraged to raise their wage living standards because they would immediately get credit by a corresponding reduction in the tariff or import fee, and when their standards of living approximated our own, then the objective of free trade would be an almost automatic and immediate result. But in the meantime, our wage standard of living would be protected.

## FLEXIBLE IMPORT FEE VERSUS "FREE TRADE"

This principle is in direct contrast to the free trade program of the State Department, and all subterfuge, including a manipulation of their currency values and selling under actual costs by such foreign governments to crowd another nation's products out of the foreign markets, including our own—as evidenced by a New York Times dispatch dated May 21 of this year—will be automatically stopped by the adoption of the flexible import fee principle.

Mr. President, I ask unanimous consent to have the bill printed in the body of the Record at this point.

THE PRESIDING OFFICER. Is there

There being no objection, the matter was ordered to be printed in the Record, as follows:

TRADE LAG STUDIED FROM ECA NATIONS—GOVERNMENT SEEMS TO LEARN WHY FLOW FROM SUCH AREAS IS NOT UP TO EXPECTATIONS—TEN BILLION SEEN POSSIBLE—WOULD MEAN THREE BILLION RISE OVER 1948, REDUCE TRADE GAP AND EASE DOLLAR SHORTAGE

Surveys under Government auspices are being quietly made in trade quarters here to ascertain why the volume of imports from European countries aided by the Economic Cooperation Administration is not larger, it was learned here yesterday.

During the past week, field surveys have been made here by a team of keymen, in which the views and experiences of active importers were sought in a wide variety of lines.

Nothing was divulged as to the information or conclusions reached during the course of the surveys, other than that the data would be of assistance in coordinating the work of official agencies.

## SCOPE OF FIELD WORK

The scope of the field work was indicated in scheduled contacts with importers of woollens, linens, lace, rayon and staple fiber, cottons, floor coverings, embroidery, metal products, needles, automobiles, leather goods, chinaware, department store goods, motorcycles, ball bearings, machinery, silverware, and foodstuffs. In all, some 40 different import lines from varied countries were canvassed, it is understood.

While no official statement is likely until the reports based on the surveys are made, if then, it is an open secret that Government agencies are anxious to spur imports by the United States as a major means of strengthening world economic recovery and curbing the dollar shortage and trade deficits abroad.

Import barriers ranging from antiquated customs procedure to excessively high prices abroad in the face of a declining price trend here have been cited as the major obstacles to the larger import volume that is felt necessary to reduce the export "gap," which exceeded \$5,000,000,000 last year.

Foreign trade experts have calculated that if business conditions and national income continue favorable here, the United States could absorb \$10,000,000,000 in imports from all parts of the world. This optimum figure, buttressed by American investment and tourist spending abroad, it is believed, would support and pay for a high level of American exports.

It compares with about \$7,000,000,000 in imports for 1948.

## FIRST QUARTER IMPORTS

For the first quarter of 1949, imports were close to the 1948 level for the same period. Doubt appeared to be rising, however, that total imports in 1949 will materially exceed 1948 figures, with much depending on business conditions here.

High prices abroad have been stressed as probably the major factor tending to limit European imports. In the case of British goods, this was highlighted a few days ago by Sir Stafford Cripps, Britain's economic chief, who told a conference of editors in London that prices on export goods must be cut. Emphasizing again his position that no devaluation of sterling is contemplated, Sir Stafford noted consumer resistance on the part of American buyers who were hoping to get British goods at lower prices.

Prior to recent developments, Great Britain had set a goal of \$720,000,000 in exports to the United States and Canada for 1949. Sir Graham Cuninghame has been named to head the British trade mission to the State Department representing British industrial interests which will work closely with the Government's export promotion program.

## 1934 TRADE AGREEMENTS ACT

Mr. MALONE. Mr. President, it will be remembered that the Eightyeth Congress extended the 1934 Trade Agreements Act for 1 year, timing it to come up at the same time as the second-year extension of the ECA or Marshall plan appropriation and the proposed adoption of the International Trade Organization.

## PERIL POINT

We added the provision to the Trade Agreements Act that the Tariff Commission must furnish the President what is called the peril point—that is, the tariff rate or import fee below which the production of the specific product under consideration would be endangered in this country—and where the floor under wages would be ineffective and would cause unemployment or a definite lowering of our standard of living.

## PERIL POINT INEFFECTIVE

I am for the inclusion of the peril point—the danger point to employment, and business as determined by the Tariff Commission in each case—at the same time feeling that it will have no practical effect except an opportunity for the President to emphasize his explanation to the Congress and to the public that naturally some sacrifices are necessary if we are to build a great foreign trade structure—the peril-point provision simply requires the President to advise Congress his reasons for disregarding the Tariff Commission's findings—there is nothing of a mandatory nature included in the provision.

## UNDER FLEXIBLE IMPORT FEE, PERIL POINT BECOMES THE TARIFF

Under the proposed flexible import fee bill provisions, the peril point, as determined by the Tariff Commission as the danger point to employment and industry, would become the tariff or import fee.

## FLEXIBLE IMPORT FEE POLICY NOT NEW

The flexible import fee policy is not new—the Sixty-seventh Congress in 1922 passed such an act which has been carried forward as section 326 of the present Tariff Act. Under the act, however, the President must initiate such changes, and rather than follow such procedure he has elected to proceed under the State Department's free-trade theory based upon the 1934 Trade Agreements Act.

My bill simply transfers the necessary action from the President to the Tariff Commission and simplifies the method of determining the peril point which would then become the tariff or import fee.

## "RECIPROCAL TRADE"—A CATCHWORD TO SELL FREE TRADE

There is no such thing as the Reciprocal Trade Act—which the 1934 Trade Agreements Act is commonly called—the words "reciprocal trade" do not occur in the 1934 Trade Agreements Act—it is not reciprocal and that is not the effect produced by the selective free-trade policy which the State Department, under the guise of the act, has pursued based on the theory that the more we divide our markets with the nations of the world the less their trade-balance deficits will be.

1949

## CONGRESSIONAL RECORD—SENATE

6053

activities authorized under sections 102 and 303 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred.

Mr. TYDINGS. Would the Senator like to have my explanation of that?

Mr. McKELLAR. I doubt the wisdom of that provision. The Committee on Appropriations appropriates specifically for every department of the Government. It has been found to work extraordinarily well. I am in favor of the bill; I am not opposed to it, but I think it would be safer and better—

Mr. TYDINGS. Would the Senator like me to tell him why that language is written into the bill?

Mr. McKELLAR. Yes, I would.

Mr. TYDINGS. If this were a normal function of the Government, like, for instance, building a bridge, or buying an airplane, or providing for reforestation, or for the construction of a dam, the Senator's observation would be a very good one. But let me tell the Senator that the men who work in this particular field frequently lose their lives. As a matter of fact, to the certain knowledge of the Senator from Maryland, several have already lost their lives, and not under very pretty circumstances, because, quite often, if they are deleted, they are forced to tell why they are there, and the picture is not a pretty one. If there are vouchers containing the names and the circumstances, going through Government channels, it might be possible for foreign-espionage agents to check on who the agents are through every conceivable source of information.

Therefore, if we should employ the same kind of accounting as would be employed in connection with building a bridge, strange as it may seem, expert men, skilled in detecting from little things the probabilities, are quite often able to detect who the agents are, and in that way they are tracked down and lose their lives. This is no ordinary bridge-building proposition. This is a matter of life and death, affecting men who are trying to do something to aid the security of our country and who take an enormous risk. The committee, after thorough consideration, determined that it would be better to have this general procedure followed in order to protect the men, rather than to follow the orthodox procedure, which might result in the loss of their lives. That is the reason why that language is in the bill.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall yield as soon as I complete my answer to the Senator from Tennessee.

I appreciate the observation of the Senator from Tennessee. Normally it would be a most outrageous thing to proceed in this manner, but I think we owe these men every possible protection we can possibly give them. Their work is

business. If we are to appropriate the necessary money, we have to do it in such a way as to "bring home the bacon," if we want our country to be secure, if we want to know how atomic energy is progressing in some other country, and what plants there may be.

I hate to discuss these matters on the floor, but there is no other way I can make the Senate have confidence in the bill than by discussing these things which I would rather not mention.

Mr. WHERRY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HENRICKSON in the chair). Does the Senator from Maryland yield to the Senator from Nebraska?

Mr. WHERRY. Do I have the floor, or does the Senator from Maryland have the floor? I would much rather the Senator from Maryland had it, so I could ask him some questions. I ask unanimous consent that I may ask a question or two regarding section 7 of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. I shall be glad to answer the Senator's questions.

Mr. WHERRY. The section reads as follows:

SEC. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the act of August 28, 1955—

Here is the point—

and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212, of the act of June 30, 1945.

Are we doing this now?

Mr. TYDINGS. Yes.

Mr. WHERRY. Then why is it necessary to have the legislation?

Mr. TYDINGS. I think it is a question whether or not the law is being winked at unless this bill is written into law. It is written now to effect a cure. It is a question as to whether we have the authority to act. In my opinion we have not the authority, but nobody is going to raise the question.

Mr. WHERRY. But we are actually doing what is provided for in the bill?

Mr. TYDINGS. Much of it.

Mr. WHERRY. Are we going to expand what we are now doing if we get additional authority?

Mr. TYDINGS. No.

Mr. WHERRY. The intention really is to implement what we intended to do under the skeleton act?

Mr. TYDINGS. That is exactly what the skeleton act was passed, and this clarifies that act.

Mr. WHERRY. In the committee re-

Armed Services Committee has submitted to the Senate appears a comment on section 7, to be found on page 4, is follows:

Section 7 exempts the Agency from the provisions of 5 United States Code 654, which require publication of personnel data in the Official Register of the United States. Section 7 also exempts the Bureau of the Budget from including in its public report to the Congress the Agency's personnel strength.

Does the section do any more than that?

Mr. TYDINGS. No.

Mr. WHERRY. That is all that is done, if we adopt this section?

Mr. TYDINGS. I am going to say something which the Senator already knows, but for the record. Ours will perhaps be the only Government having a law providing for such an activity. Other governments simply appropriate a disguised sum of money, without any authority of law, to handle the whole matter through some government official. We are writing the whole law out. I regret we cannot proceed in any other way. If the Senate knew about the details, it might be willing to do as other countries do, but we do not do business that way. We are not doing what other countries do. We are throwing every possible democratic safeguard around it as we go along.

Mr. WHERRY. I want to be sure that the assertions made in the committee report state what we are doing when we adopt section 7, and that it is to exempt the agency from the provisions of law I have just mentioned.

Mr. TYDINGS. For national security only.

Mr. WHERRY. That is correct.

Mr. TYDINGS. I thank the Senator from Nebraska for his contribution.

Mr. WHERRY. I was a member of the Committee on Appropriations, with the distinguished Senator from Maryland, when we were asked for a huge appropriation for a purpose with which we were not familiar.

Mr. TYDINGS. A billion dollars.

Mr. WHERRY. Yes. It took much faith on my part, as one charged with a part of the responsibility of making appropriations, to agree to that. A billion dollars is a great deal of money. Yet we were told that it was in the interest of national security, and we asked no questions. Afterward, of course, we discovered that it was for the purpose of developing the atomic bomb.

Mr. TYDINGS. This is in the same category.

Mr. WHERRY. We are now extending the authority, and I wanted to have it made indubitably certain that section 7, which to me is the meat of the bill, is included for the purposes outlined in the committee report, and does not extend beyond that.

Mr. TYDINGS. In measured words, I can answer the Senator in the affirmative.

The PRESIDING OFFICER. There be no further amendment to be offered, the question is on the amendment of the amendment and the bill is ordered to be read.

6954

## CONGRESSIONAL RECORD—SENATE

MAY 27

proposed to insert the words "or the Commissioner of Immigration."

Mr. TYDINGS. I ask that the word "or" be stricken out preceding "the Commissioner of Immigration," and the word "and" inserted.

The PRESIDING OFFICER. The clerk will restate the amendment, as modified.

The LEGISLATIVE CLERK. On page 12, in line 17, it is proposed to strike out the word "and" and insert a comma; and in line 18, after the word "General," it is proposed to insert the words "and the Commissioner of Immigration."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER], as modified.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, I hope we can now have the bill passed.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

Mr. JOHNSON of Colorado. Mr. President—

Mr. TYDINGS. Mr. President, I do not think the Senator from North Dakota desires to bring up any other matters. These are the only two matters he discussed. The Senator has left the floor. I shall keep talking for a minute or two if I have the floor, until the Senator can be contacted and asked whether he has any other matters he wants to bring up.

Mr. JOHNSON of Colorado. If the Senator does not mind, and if he has nothing else he wants to say, I shall be glad to speak for a minute or two, because I have a few thoughts to express.

Mr. TYDINGS. I shall be delighted to yield. I was only making a suggestion, so we would not take advantage of the absence of the Senator from North Dakota, in the event he had not finished.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. JOHNSON of Colorado. I wished to propound a question to the Senator from North Dakota, and I hope the Senator from Maryland will remain.

Mr. TYDINGS. I have not had luncheon yet. If it is going to take long, I think I should like to get a sandwich.

Mr. JOHNSON of Colorado. I am not going to talk very long. I assure the Senator I shall be very brief.

Mr. TYDINGS. I will remain.

Mr. JOHNSON of Colorado. I shall speak briefly, and I hope very much to the point. I trust the Senator will realize my anxiety about this legislation. I do not want to keep him from his luncheon, and I apologize to him for not having been here sooner, as I had intended to be, to hear his explanation and his argument on the bill, but I could not.

Mr. TYDINGS. I have just received word that, with the amendments adopted, the Senator from North Dakota has nothing more to say about the bill.

Mr. JOHNSON of Colorado. That is fine. I do not know whether I can join the Senator from North Dakota in approving the bill with these amendments or not, but I do want to make a brief statement. I have been thinking that a

bill, but as I read the measure, it is very radical legislation. I do not know of any legislation passed by Congress which is so sweeping and which goes so far as this legislation does, except the legislation pertaining to atomic energy. I know I should feel a great deal better had the bill been referred to the Committee on the Judiciary and that committee had given attention to the sweeping provisions contained in the bill. Doubtless few Senators on the floor have the same fear of military fascism that I have; I doubt whether they have. I know that very few of us seem greatly concerned that 34 percent of all our taxes, all of our revenues, goes to the Pentagon Building. To me that is a very disturbing thing.

Perhaps I am entirely wrong; perhaps I do not comprehend the significance and effect of the pending legislation, but as I understand we are setting up in this country a military gestapo. I recall very well an argument made in this Chamber by the late Senator Norris, of Nebraska, away back in 1940. It impressed me deeply. He was arguing against the Congress of the United States setting up a gestapo in this country. I do not agree with what the Senator said in his references to the FBI, because I think the FBI has been a splendid organization, which has made a tremendous contribution to check crime and I should not want to do anything to curtail its operation. But I feel very certain that if Senator Norris were on the Senate floor today he would rise in his place to argue against the sweeping powers which are being vested in the military through this piece of legislation.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. TYDINGS. I may say to the Senator that I share every thought he has expressed about the inadvisability, the lack of necessity, and the unwarranted institution of any kind of gestapo, military or otherwise, in this country. The pending bill, as I said in my opening statement, has nothing to do with the internal affairs of the United States of America. All these men work outside the United States of America, and the bill so provides. They cannot work in the United States of America. Their functions are exclusively in foreign fields, and they are gathering, by close examination, information which it is deemed necessary for our country to have, as to where this or the other thing is going on, and as to what is taking place, so that we can make our plans accordingly. I am glad to reassure the Senator that our committee had the same thought he has so well expressed, and that there is nothing in the bill to permit internal military espionage in our country by agents constituted in the Military Establishment.

Mr. JOHNSON of Colorado. It is very comforting to have the Senator make that statement. I may say I did not know the bill was coming up today. I knew it was on the calendar, and I promised myself faithfully that when I could get to it I would make a statement of it and

and what the effect of its language might be. But I have not had that opportunity. Perhaps it is all my own fault, and I regret it.

Mr. TYDINGS. I know the Senator is busy. I would say to the Senator from Colorado that the members of the Committee on Armed Services approached this proposition impelled by the same philosophy which the Senator from Colorado has expressed. We were perfectly willing to provide the Military Establishment with agents who would help in gathering pertinent military information in foreign fields. We were not willing to provide the military or any other establishment with agencies which would work in the United States in connection with our own people. There is nothing in this bill which touches the United States or is intended to touch the United States, except, of course, the headquarters are located here. The men must be told here what their missions are, and they must be given their instructions here, but the duties they perform are not performed in this country.

Mr. JOHNSON of Colorado. That reassures me completely.

Mr. TYDINGS. I know it does. With out that assurance, let me say that the Senator from Maryland would not be on this floor advocating the passage of the bill.

Mr. JOHNSON of Colorado. I have advocated for a long time that we develop our military information gathering so that we might better know what is going on all over the world. Of course, I would not want to do anything that would handicap in the slightest the agencies which we have for that purpose and to ferret out what is going on all over the world. I feel that the importance of this bill is completely understood and I am in favor of his bill.

Mr. TYDINGS. I understand the Senator in making the statement. It is not our intention and it is not the intent of the language which we have adopted to make possible the things which the Senator has a right to fear in lieu of a closer examination. We have tried by testimony, by interrogation, and by the language of the bill to do exactly what the Senator wants done, and to stop right at the water's edge.

Mr. JOHNSON of Colorado. The reason, then, that the bill has not been sent to the Committee on the Judiciary is because it would not affect in any way justice within the United States. Is that correct?

Mr. TYDINGS. That is correct. It has to do with purely military intelligence, and with no other kind of intelligence at all.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I want to ask the Senator from Maryland with reference to the bill, S. 1000, page 6, on page 10 of the bill. I read it.

(a) Transfer to and receive from other Government agencies such information as may be required by the Department of Defense.



1949

## CONGRESSIONAL RECORD—SENATE

959

conscience, accept; and I believe it would entirely do away with the charges which were made in the House of Representatives—that these men might possibly be used to break up labor unions or for some similar purposes.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. LANGER. I yield.

Mr. TYDINGS. Of course, the Senator from North Dakota appreciates that I, as chairman of the committee, could not accept the amendment without breaking faith with the other members of the committee, who have not authorized me to do so.

I would say to the Senator from North Dakota that, as he has finally modified the amendment, he has made it a great deal more palatable. I cannot vote for it, but perhaps the Senate will agree with the point of view of the Senator from North Dakota. I hope the Senate will not, because I do not think the amendment is necessary. But I say that the Senator from North Dakota has made the amendment much more palatable now than it formerly was.

Mr. LANGER. Mr. President, I wish the Senator from Maryland would accept the amendment, because it is fundamentally right.

Mr. TYDINGS. Mr. President, I say to the Senator from North Dakota that I should like to have him repeat the amendment.

Mr. LANGER. Certainly. It is as follows:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave.

Mr. TYDINGS. Mr. President, I will take the amendment to conference. Of course, I do not like to be a party to any deception and I point out now that the amendment is new. It is worthy of thought. The Senator from North Dakota has made a real effort to interweave his philosophy with the exigencies and dangers involved in this whole proposition.

I will not promise that the amendment will come out of conference; but the Senator from Maryland will do his best to see to it that the amendment receives adequate consideration along the lines the Senator from North Dakota has mentioned.

Mr. LANGER. Mr. President, I am very grateful to the Senator from Maryland.

Now let me ask about section 8. What can we do there to meet the objections of Mr. Celler? I refer now to section 8 on page 12.

I may say to the distinguished Senator from Maryland that I know that provision is not right.

What I shall mention now may have no bearing at all upon this particular piece of proposed legislation, but I wish to call the attention of the distinguished Senator from Maryland to Charlie

The PRESIDING OFFICER. Will the Senator from North Dakota permit the Clerk to interrupt long enough to ask whether a vote is to be taken on the amendment which already has been stated.

Mr. TYDINGS. Mr. President, the Senator from North Dakota has not yet offered the amendment. I hope he will offer his first amendment now, so that we may dispose of it.

Mr. LANGER. Mr. President, at this time I offer the following amendment to the pending measure: On page 7, strike out lines 3 to 7, inclusive, and substitute the following:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave.

Mr. TYDINGS. Mr. President, I accept it, with the understanding that I will take the Senator's amendment to conference, if it is adopted, for further consideration, but that I do not feel bound to insist upon it if in the light of further consideration I feel that we cannot take it; but I accept it in good faith, and will attempt to see that it is given every consideration in line with the Senator's philosophy.

Mr. LANGER. Again, Mr. President, let me say that I am very grateful to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, let me inquire about the other amendment the Senator from North Dakota has in mind.

Mr. LANGER. I have in mind an amendment to section 8, on page 12. I would offer an amendment to it.

Mr. TYDINGS. I am afraid I cannot accede to that.

Mr. LANGER. I was going to suggest that somewhere in that provision we could insert the safeguards which Mr. Celler requested, perhaps included the words "shall be provided by the Bureau of Immigration."

Mr. TYDINGS. Of course, that comes under the Attorney General. The Bureau of Immigration is under the Attorney General's Office under the new Reorganization Act.

Mr. LANGER. That is correct.

Mr. TYDINGS. If the Senator from North Dakota would like me to add: Whenever the Director and the Attorney General or the head of the Bureau of Immigration.

I would be inclined to go that far, in order that the Immigration authorities might be put directly on notice.

Mr. LANGER. Does the Senator from Maryland mind changing that to read "or under rules and regulations provided by the Bureau of Immigration"?

Mr. TYDINGS. I do not think that could be done, for the considerations involved would be as diverse.

But I think the Bureau of Immigration would not admit a man unless the Director and the Bureau of Intelligence agree

onstrated that it was rather imperative that he be permitted to come in.

Mr. LANGER. Perhaps so.

Mr. TYDINGS. Mr. President, on behalf of this compromise amendment, I ask that we consider an amendment, as coming from the Senator from North Dakota, as follows:

"Strike out the first two lines of section 8, on page 12, as they now appear, and insert 'Whenever the Director, the Attorney General, and the Commissioner of the Immigration Service shall determine that the entry of a particular alien into the United States,' and so forth. What the amendment does is simply to add the Commissioner of the Immigration Service. The Senator from North Dakota wants to make sure that the immigration authorities are apprized directly of the action that is proposed to be taken.

Mr. LANGER. And, I may say, would know who the alien is, and would make a record.

Mr. TYDINGS. I would accept that amendment if the Senator will offer it now, and ask for a vote.

Mr. LANGER. I offer the following amendment: On page 12, strike out line 17, and in line 18 strike out the word "General", so as to make it read:

Whenever the Director—

Mr. TYDINGS. "And the Attorney General."

Mr. LANGER. "And the Attorney General."

Mr. TYDINGS. "Or the Commissioner of Immigration."

Mr. LANGER. "Or the Commissioner of Immigration shall determine."

Mr. TYDINGS. I want the Senator from North Dakota to understand that in accepting the amendment and taking it to conference, he realizes I have not had the chance to give it all the thought that ought to go into any change, but I am accepting it in good faith. We will consider it in conference, but if it does not come back in the bill, I hope the Senator will not charge me with failure to carry out any agreement.

Mr. LANGER. The Senator from Maryland is the last person in the world I would charge with failure to carry out an agreement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. JOHNSON of Colorado. Mr. President, just a moment. The Senator from Maryland read the amendment one way, and then it is being changed, and a very serious change is being made.

Mr. TYDINGS. I read it "or."

Mr. JOHNSON of Colorado. Yes. "Or" is a far different word from "and." It will not mean anything if the word "or" is used. There would be no change in it whatever, if it is amended to read "or."

The PRESIDING OFFICER. The clerk will state the amendment again for the information of the Senate.

On page 12, in line 17, it is proposed to strike out the word "and" and insert a comma and in line 18 strike out the word "General" and

6952

## CONGRESSIONAL RECORD—SENATE

MAY 27

in the House the same was made that when these men come back they will be used to break up labor unions. I do not believe it.

Mr. TYDINGS. Let me tell the Senator how that foolish idea originated. Let us assume that a laboring man is a part of this organization, and that we want to send him over to Germany, for example. Let us assume that he speaks German. He may never have had any affiliation with a labor union. He is going to associate with men both in and out of labor unions. Obviously he would have to be sent where labor unions meet and discuss questions, and where they act, so that he could get the feel of the situation, and so that he would not be like a sore thumb sticking out when he reached a foreign country. He would need to know the techniques, the lingo, the habits, and so forth, of those who are labor-union men, in order that he might be an efficient, undiscovered officer gathering information, without any idea on the part of those who would give it, that the information was being imparted to our Government.

Mr. LANGER. I fully agree with what the distinguished Senator says.

Mr. TYDINGS. I do not believe that the Senator can improve very much on the bill. The very questions which he has brought up have been thoroughly canvassed and considered by the committee. The exact language which we have accepted has been adopted as safeguarding our internal affairs while giving the widest scope to the agents in the external field.

Mr. LANGER. The Senator may be correct—

Mr. TYDINGS. We have been all over this question in great detail. Witnesses have been interrogated at great length. The hearings have been extensive. We have considered every phase of the problem. The Senator has not heard the testimony. Neither has Mr. Celler. He did not attend one of the hearings—and properly so, because he was not supposed to attend them.

Mr. LANGER. The Senator's argument sounds very strange to me, after the experiences which I have had on committees. For example, take the pay bill. After more than a month of hearings last year, although the distinguished Senator from Maryland and some of his colleagues were not present at the hearings, they offered amendment after amendment. What is there sacred about this bill that it cannot be amended? It is the same as any other bill. I think I have a good amendment.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Let me say to my friend from North Dakota that there is a great deal of difference between amending a pay bill and dealing with an extremely sensitive and secretive function of Government which has to do with the lives of men, not in wartime, but in peacetime. When the Senator's work has not returned, but has been destroyed, we are not very anxious to do something which would destroy the information for the next

man who comes along to carry on the task from that point.

I have already said much more in this debate than should be disclosed. I think this debate is unfortunate. I think it ought to be in executive session. I think there is a great deal of meat in what must be said here in order to get the bill through, which is serving those who are not friends of the United States. This is one time when there ought to be secrecy. The whole atmosphere of the bill is secrecy. I regret that in answer to the Senator's questions I have been forced to disclose as much as I have disclosed. We are not serving the United States or the brave men who are going forth under all kinds of difficulties to help to place the security of our Nation beyond peradventure.

Mr. LANGER. Mr. President, I yield to no man, including the distinguished Senator from Maryland, in patriotism. However, I will never stand on this floor with a report and say, "We are not reporting everything to this body which should be reported. We are keeping some of it back." The time has not yet come, during a period when we are not at war, when we cannot discuss any bill upon the floor of the Senate. So long as I am a Member of this body, whenever any proposal for appropriations is brought before us, or a bill to draft the boys from the farms, or any other kind of bill, I will not stand idly by and say, "We cannot discuss it."

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Does the Senator think we ought to tell how many men we have in this service?

Mr. LANGER. I did not ask the Senator any such question.

Mr. TYDINGS. Does the Senator think we ought to tell their names and ages?

Mr. LANGER. The Senator knows very well that I did not ask such a question.

Mr. TYDINGS. It might be pertinent information.

Mr. LANGER. It might be, but I have not asked such foolish questions.

When it comes to creating an agency, I see no harm in seeing to it that the wording of the bill is right. I for one am not going to take any chances without a protest, even though I vote alone, against the establishment of a Gestapo in the United States by which people may be hounded and harassed by a central bureau, or by anyone else.

I know the fine mind of the Senator from Maryland, and I know what a big heart he has. I know how patriotic he is. He is one of the few Members of this body who has received the highest medal that it is possible for a man in the United States to get.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KEFAUVER in the chair.) Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. LANGER. I yield.

Mr. TYDINGS. I wish to say to my friend from Maryland that I am not

kota—and I hope he will forgive me if I appear a bit vain in what I am about to say—that military and scientific developments have reached such wide ramifications today that it is not always possible to give to the Senate the detailed information in regard to many things which we would be delighted to give to the Senate or to have Senators who are not on the committee know if they could come to the hearings where we hear those things.

My reactions were exactly the same as those of the Senator from North Dakota when I first approached this bill. But if my judgment is worth anything—and in making this statement I am carefully measuring my words—I wish Senators to know that in my opinion this bill is carefully worked out. Every safeguard which could possibly be put into it without destroying its purpose has been put into it. Our committee is unanimous about the bill, not because we are in favor of espionage, for we are opposed to it, but because we hope it will not occur.

So I hope the Senator from North Dakota will not suggest the amendment he has indicated, because in my judgment they would do the bill more harm than any good whatsoever which they could possibly do.

Mr. LANGER. If we leave paragraph (B) the way it is, it would do the country a great deal of harm. It now reads:

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the agency or elsewhere—

And so forth. Mr. President, my distinguished friend, the Senator from Maryland, has not had the experience I have had with being hounded by Mr. Ickes' men, when he was Secretary of the Interior—when, as Governor of the State of North Dakota, I had men following me all over the United States, and my telephone in the Governor's office was tapped, and my desk in the Governor's office was broken into by men whom Harold Ickes had snooping around trying to "pin" something on me—and when similar things happened to the Republican lieutenant governor of Iowa, for such attempts were likewise made to "pin" something on him.

So I say to the Senator from Maryland that, in my judgment, the bill as now written would enable this agency to send its men inside the United States, into places inside the United States, for nothing in the bill would prohibit that. The only way that could be prohibited would be by inserting the word "not" in the bill at the point I have indicated.

Frankly, Mr. President, I cannot see any objection to such a change in the bill. If we make that change, paragraph (B), on page 7, then will read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such absence shall not be counted as leave.

It seems to me that is an amendment which my friend the Senator from Maryland should—

1949

## CONGRESSIONAL RECORD—SENATE

6551

safeguards he desires around them and around us?

Mr. LANGER. I would do exactly as the chairman of the House Committee on the Judiciary, Representative CELLER, said we should do. He suggested the way safeguards should be placed around us.

Mr. TYDINGS. What are they?

Mr. LANGER. I would call in the Director of Immigration and Naturalization and ask him what is necessary to be done in order to carry out the committee's recommendations. The Armed Services Committee did not do that. There are no safeguards contained in the bill at present.

Mr. TYDINGS. Oh, yes; the Attorney General and the man who is charged with securing the information to safeguard the United States of America certainly are not going to let come into the country someone who wants to do harm to the United States of America. The trouble is that Mr. CELLER is looking upon this sort of activity practiced by all governments as if it were a regular, open, above-board, orthodox, give-and-take procedure. This is one of the things which ought not to be practiced by any government, but which every government has to practice in self-defense. It is somewhat like war. No country ought to make war. A war is the most outrageous crime human beings have ever put their hands to. But so long as people are threatening to make war on us we have to be ready to protect ourselves. That is the philosophy of the bill. The lives of our men overseas in many cases depend on this bill having enough elasticity to it so it can serve the purposes of the security of the country without any undue delay. It may be the Senator's son or my son or someone else's son who is dependent upon the information which the Central Intelligence Agency will assemble for the protection of our troops.

Mr. LANGER. Mr. President, we are not at war at the present time. Representative CELLER yields to no man in patriotism. I have known "MANNY" CELLER for over 30 years. For 24 years he has been a Member of the House. For 24 years he has been a member of the Committee on the Judiciary of the House. When "MANNY" CELLER says there ought to be safeguards placed in the law before 100 aliens are permitted to come into the country, I take the word of Representative CELLER, the chairman of the House Committee on the Judiciary. He is an outstanding patriot. He is an honest gentleman, with a world of experience.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. I should like to say that I have served with Mr. CELLER in the House of Representatives. I became a Member of the House of Representatives and Mr. CELLER became a Member of the House of Representatives in 1922. My relations with him and affection for him and respect for him are of the very highest. I have known him since he was a boy. He is a man who is said with no reflection on him. But when the bill passed the House, after Mr. CELLER had made his speech, I was

vote was 348 in favor of the bill and only 4 against the bill. Let me say to the Senator that if this had been an immigration matter per se Mr. CELLER would have secured 348 votes in support of his position, and only 4 votes would have been against his position. This is not an immigration matter. It has nothing to do with immigration per se. This is asylum for military agents who are working for the United States, and who are faced with death if they are caught. We simply tell them in advance that if the Director who employs them, and the Attorney General, who is detached from the Director, approves it, if they are detected and their lives are in danger they may come into the United States. After that, they are just the same as anyone else. They have no immunities or privileges.

Mr. LANGER. Mr. President, the argument that this bill has nothing to do with immigration is the sheerest nonsense. Again I quote Mr. CELLER. At the end of his talk he said:

I have spoken briefly to advise the Armed Services Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

That is the statement of a man who has been a Member of the House for 24 years.

Mr. President, I invite attention to page 7 of the bill, subparagraph (B), which reads as follows:

While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

The services of such officer or employee are not to be used in this country. This bill deals with activities outside continental United States.

Mr. TYDINGS. That is correct.

Mr. LANGER. If that be true, would the distinguished Senator be willing to accept an amendment in line 4 on page 7, after the word "shall" to insert the word "not" and strike out lines 6 and 7?

Mr. TYDINGS. Will the Senator read the language as it would then be?

Mr. LANGER. It would read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

Mr. TYDINGS. I would accept that amendment with one qualification, and that is that they can receive training here. If the Senator will exclude training, if his language is broad enough so that training and indoctrination are not included as work, I shall be delighted to accept the amendment. I do not want to tie up the situation so that when they get to the United States they cannot receive any training or indoctrination. They are working then, but they are not working on espionage in the United States.

Mr. LANGER. Again I agree with the Senator from Maryland 100 percent.

Mr. TYDINGS. Let us adopt language which will accomplish that purpose.

Mr. TYDINGS. Work would include

the United States or receive pay while they are here for indoctrination and training, his language is most unfortunate. I am with the Senator in theory, but his language goes further than his theory.

Mr. LANGER. I am taking the language in the bill. With my amendment, the language would read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

Mr. TYDINGS. Let me show the Senator, in good faith, what he would do by his amendment.

Mr. LANGER. I am not through.

Mr. TYDINGS. If the Senator will lay aside his pride of authorship for a moment, and listen to me—

Mr. LANGER. I am delighted to listen to the distinguished Senator as long as he wishes to talk.

Mr. TYDINGS. I do not wish to take long. However, the language would read as follows:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

He could not even go to the central agency and work there. Does the Senator want to say that?

Mr. LANGER. I would not object to his working in the agency, but I do not want him to work elsewhere.

Mr. TYDINGS. I ask the Senator to read his own amendment, and see if it does not exclude work in the agency.

Mr. LANGER. The distinguished Senator just said—

Mr. TYDINGS. I cannot accept an amendment of that kind.

Mr. LANGER. Suppose the distinguished Senator drafts the amendment.

Mr. TYDINGS. I think the language is all right as it is. I am not complaining.

Mr. LANGER. The Senator said he would accept the word "not."

Mr. TYDINGS. I said that I would accept the word "not" assuming that it allowed the man to work in the agency, and allowed him to be trained in the United States.

Mr. LANGER. We can meet that difficulty very simply by adding the word "except."

Mr. TYDINGS. Will the Senator read the language as it would be with the word "except"?

Mr. LANGER. It would then read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency, and for training.

Mr. TYDINGS. How about orientation schools?

Mr. LANGER. Let us put that in.

Mr. TYDINGS. If the Senator will complete his amendment, I am willing to accept an amendment which is concise and clear, and which does not include the orthodox work of these agents within the continental United States. The language does.

Mr. LANGER. Let me say one more

6950

## CONGRESSIONAL RECORD—SENATE

MAY 27

regrettably, and we want to make provision so that others will not lose their lives.

When men undertake this character of work, they take it on the understanding that they may not come back, because in some cases when they are caught they are put to death. We might as well say that on the floor of the Senate. We are dealing with the lives of men who are in this service, and for that reason there has to be a great deal of secrecy thrown around the work.

Mr. LANGER. Mr. President, I repeat what I said at the beginning of my argument, that I agree fully, completely, entirely, absolutely, and wholly with the desire to protect the lives of these people working for our Government. I believe in national security.

Let me read what Mr. SASSER said about the purposes of the bill in the House of Representatives. I read from his statement:

Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947.

Now I wish to ask the Senator from Maryland a question.

Mr. TYDINGS. Will the Senator allow me to make an observation before he asks the question?

Mr. LANGER. Certainly.

Mr. TYDINGS. I should like to tell the Senator that the Senator from Maryland was fortunate enough to have a boyhood friend who had charge of some of the most difficult and important work undertaken in this line of activity during the war, and I have perhaps heard more of the ramifications of this service than any other man in Congress, because I had the good fortune to sit at the feet of this particular individual, and I have heard him tell many things that happened, and the difficulties encountered. So I have a little more concern than I would have, had it not been for this personal experience. It is only out of abundant caution, knowing how a little thing disclosed may put an agent in a very difficult place, that the Senator from Maryland has striven to be cautious in what he has said.

Let me say a further word. Suppose a man is a citizen of country A. Suppose he comes to our representative and says, "I am a citizen of country A, but country A does not like your country. I do like your country. I should like to work for your country." Suppose that man is working in some official capacity in country A, and we employ him, and get information we may desire. If that man were to be detected he must know in advance that he can come to the United States, that he can escape, and secure asylum here. Suppose that man is a citizen of country A, but country A does not like your country. I do like your country. I should like to work for your country." Suppose that man is working in some official capacity in country A, and we employ him, and get information we may desire. If that man were to be detected he must know in advance that he can come to the United States, that he can escape, and secure asylum here.

dangerous work we will have to give them the assurance that we will stand behind them in the event they are threatened with the loss of their lives if they are detected while working for our country.

Mr. LANGER. Mr. President, I agree with every single word the Senator from Maryland has said. I repeat, however, that I agree also with the distinguished chairman of the House Committee on the Judiciary, Representative Celler, when he said, on the question of immigration:

On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision, which should be stricken from the bill, or, if it is not stricken, certain safeguards should have been added.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Let me say to the Senator from North Dakota that no one can come into this country under the bill except with the approval of the Attorney General, who already has supervision over the immigration laws, and of the Secretary of Defense. A person cannot wait to secure a visa when his life is threatened. A man who undertakes this dangerous work wants to know that he can come into the United States on 2 minutes' notice; that he will be identified and given asylum here. He will not undertake such work unless he knows that, if he is detected and wants to flee for his life, there is an open door into this country for which he is risking his life to serve, and that he will not have to go through the red tape of securing a visa. Let me tell the Senator that every government on earth makes provision of this sort for men who work in the secret service.

Mr. LANGER. Mr. President, again I assure and reassure and re-reassure the distinguished Senator from Maryland that he and I are in complete agreement on the matter of allowing entry to whatever number of persons may be necessary; but, nevertheless, I agree with the distinguished chairman of the House Committee on the Judiciary when he says:

This particular provision . . . should be stricken from the bill, or, if it is not stricken, certain safeguards should have been added.

Section 8 does not protect the people of the United States from having a group of Communists or Fascists, or whatever they may be, come into this country. Section 8, which in a proviso permits the entry of 100 persons a year, provides:

Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or failure to comply with such laws and regulations pertaining to admissibility.

Mr. President, I submit that there is a

diction over these persons after they get into our country. When they come here they are on an absolute par with the distinguished Senator from Maryland. They can go wherever they want to go, they can do what they want to do. There is no provision that they must make reports. There is no provision for following them up. That is why I say that, agreeing as I do with the distinguished Senator from Maryland, I believe we should place some safeguards in section 8, or else keep such aliens out of the country.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. In the first place, I believe the Senator has covered a great deal more territory than the facts in the bill warrant. For example King Peter, and all the princes and dukes and other royalty who visited the United States during the war came in under State Department visas, and they have nothing more to do with this bill than I have to do with the Chinese Communist Government at this moment. They all came to the United States when there was no Central Intelligence Agency in existence. They all came here under State Department visas. We are not in this bill dealing with any such attention. Asylum of that nature is as far from the States as Siam is from North Dakota.

Let us get down to the matter in the coconut. What greater safeguard than the Senator wants than to require that the Director of the Central Intelligence Agency, who is charged with the security of the country so far as intelligence is concerned, and is certainly not to permit anyone to come into the United States who might endanger the security of the Government, and the Attorney General of the United States, who is charged with enforcing the laws, shall make a determination? Would the Senator from North Dakota feel more assured if we put the President in it, too?

Mr. LANGER. I might say to my distinguished friend from Maryland that if we had another Attorney General like Harry Daugherty, I would not want him to pass on anything, even a dog coming into this country. We have had one Attorney General of that kind.

Mr. TYDINGS. We have had Senators and Representatives and even Presidents who have not been all we would hope they should be.

Mr. LANGER. We have immigration laws to take care of the admission of aliens. Under our immigration laws safeguards can be placed around the entry of these 100 people. I want the immigration laws of the country enforced or, if necessary, so changed as to provide safeguards when these hundred individuals the Senator wants excepted, are admitted into the country.

Mr. TYDINGS. How would the Senator do that?

Mr. LANGER. I would have the section submitted to the Committee on the Immigration and Naturalization Service.

Mr. TYDINGS. How would he get the people who are admitted into the country?



1949

## CONGRESSIONAL RECORD—SENATE

6919

When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

Mr. President, I wish to invite attention to section 8 of the bill. I may add that I shall offer an amendment to strike out section 8. That section reads as follows:

Sec. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security on essentials to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any 1 fiscal year.

What is the situation, Mr. President? Two men, the Attorney General and the Director, can set aside the entire immigration laws of the United States. Already there are five or six million aliens in this country. Already the Attorney General and the Director of Immigration have advised our committee that they cannot find them all in order to get rid of them. We have had an example of kings, queens, princes, counts, dukes, and what not, chasing over to England, and of the existence of governments in exile there. Already some have chased over to the United States. King Peter of Yugoslavia was riding in Connecticut, going at the rate of 70 or 80 miles an hour, when he was arrested for speeding and endangering the lives of persons along the highway. He claimed immunity. He said, "I cannot be arrested." The police of the State of Connecticut released him. A few nights later he was in a place in New York called the Stork Club. I discussed this incident with my distinguished friend from Maryland. He said he was thoroughly familiar with the Stork Club. It so happens that I am not familiar with it. I do not know how large a place it is, but it seems they have certain favorite tables in that club. At any event, when the ex-king of Yugoslavia dropped in, he was not given the best table. He was given what he thought was a second-best table. So he started a rumpus, and, as I remember, the police were sent for and the manager of the Stork Club stood firm and said he would not take the table away from the people who occupied it and give it to the so-called King of Yugoslavia.

There is nothing to prevent all the ex-crown princes and persons of so-called blue blood or royal blood, with whose names I am not familiar, but whom my distinguished friend from Maryland knows by heart—he knows some of them by their first names, I found in discussing the matter with him—there is nothing to prevent their coming in at any time. They do not have to enter as other individuals do. All they have to do is get the Attorney General and the Director to say, "Come on in." They do not have to obey a statute law which we have

passed in order to protect citizens of the United States.

When this bill was before the House, another Representative had much to say about it. Before I take that up, I repeat what I have already said, I intend to offer an amendment to eliminate section 8. If the proponents of the bill want section 8, if they want to have the power to let a hundred people come into the United States, and if they are people who for national security reasons should come in, I have not any objection to having a separate bill introduced and presented to the proper committee, and with proper safeguards we can see that people who will help the United States can get into our country in 24 hours, as the report made by the Committee on Armed Services says they want the law to be.

Why stick in this section 8? It is stuck into a bill where it has absolutely no right to be. It is stuck into a bill which deals with contracts, into a bill which provides that the Director of the Central Intelligence Agency may make contracts involving up to \$1,000, that he can buy things in an emergency, and all that sort of thing. Then cut of a clear sky they stick in section 8, providing that 100 people may be admitted without regard to the immigration laws of our country.

Mr. President, both the distinguished Senator from Massachusetts and the distinguished Senator from Maryland a few moments ago stated that this bill had nothing to do with the internal affairs of this country at all, that it dealt only with territory outside the continental United States. Let me read subdivision (B) on page 7:

While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the agency or elsewhere, but the time of such work or duties shall not be counted as leave.

The Senator from Maryland says that what is provided for in the bill is being done now, that the Navy and the Army and other branches of our Government have thousands of these people. I have not the least objection to taking all of them and putting them under the Central Intelligence. I have not any objection at all to that being done, and the cost to our taxpayers being reduced, provided the people do their work outside this country, just as was alleged a few moments ago by the distinguished Senator from Maryland is being done.

Mr. TYDINGS. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield to the Senator from Maryland.

Mr. TYDINGS. I share the Senator's concern, and I am glad he wants to be reassured in reference to this matter. But let me correct the Senator. I never said that the Army and the Navy had thousands of men engaged in this service. So far as I know, the Army and Navy have no one engaged in it.

To come down to the point the Senator raises as to paragraph (B) on page 7, I think the Senator is right. Agents are brought back for reorientation, to be told what their new tasks shall be. While they are on leave they may be

called to Washington and assigned to a new task, given training in the new task, and then sent out. They do no work in the United States, but they do have to come back to be indoctrinated into all the difficulties which will confront them when they take up a new task. That is the only purpose.

I know the Senator may not agree with me, but he knows I would not deceive him in any sense of the word as to this bill or any other matter, and I can assure him, after thorough investigation, that none of these agents will work at all in the United States. The only time they will do anything here is when they come, either on leave to visit their families, or come back, if they are changing their stations, to be reindoctrinated.

Mr. LANGER. The Senator said that the Army and the Navy had none of these people here, yet he told us not half an hour ago that all the work that is contemplated by the bill is being performed here now by agencies. What are these agencies?

Mr. TYDINGS. It is being performed by the Central Intelligence Agency, which is a branch of the National Security Council. It works under the National Security Council. It advises the President.

Mr. LANGER. The Senator knows that we have a Naval Intelligence, and he knows we have a Military Intelligence.

Mr. TYDINGS. If the Senator will permit me to complete my answer, he has gotten the two things confused, understandably. Army Intelligence deals primarily with logistics. We know how large a certain army is, we know how large a certain navy is, we know how many airplanes another country has, we know how many trucks he has. Naval Intelligence deals primarily with navies, or the logistics of moving or dealing with armaments in the hands of a possible enemy. The organization we are here concerned with is primarily established to find out what the intention of a possible enemy is, what he is doing, what he is concealing, his movements, what the people in the foreign country think and assorted information of tremendous value on a military plane.

There are none of these agents who work in the United States. I hope the Senator will take my word for that. We went into that subject very thoroughly in the committee, and all this work is completely outside the United States, except for the indoctrination which must take place whenever an agent is sent into a new field.

Let us suppose an agent is being sent to Country X. He has to be told what he is to do in Country X, he has to be told what the customs are in Country X, he has to be furnished with a variety of information so that he can work there unobserved and obtain information, and, to tell the truth, so that he will not be killed, as in some cases men have been killed. The reason why there must be secrecy is that we do not want to lose our men, and I regret to tell the Senator from North Dakota that some men have already lost their lives in this country. I am not sure that

6948

## CONGRESSIONAL RECORD—SENATE

MAY 27

Mr. TYDINGS. I should say that prior to our entry into World War II we were babes in the woods to a large extent in this field. If we had had then what we have now it is possible there might have been a different result at Pearl Harbor. The information was there, and we should have had men operating within the group who were adverse and hostile to the United States, working with them, so they could have told us what were the intentions of those people who were under our flag, ostensible citizens, but who were plotting, in liaison perhaps with possible enemies, to destroy the United States of America. I thank the Senator for his interruption.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. As one who followed the bill very closely last year and was in charge of it, there is but one thought on which I think the Senator might enlarge somewhat. This intelligence agency does no work at all within the continental United States, except to assimilate information it receives elsewhere. Is not that correct?

Mr. TYDINGS. The Senator is completely correct. There is not a single agent of this intelligence agency working within the United States in any form of espionage, directly or indirectly. It is purely and completely and wholly and singly in the external or foreign field. It has no connection with the FBI, it is not under the FBI, it does not do the same kind of work as the FBI. Its sole effort is outside the United States.

Mr. SALTONSTALL. Am I correct in saying that it does not interfere with the FBI in any way, shape, or manner?

Mr. TYDINGS. That is correct. It does not interfere with it in the slightest degree. Are there any other questions? If not, I do not desire to hold the floor, but I hope the debate will not be too greatly extended, that we may draw the issue, whatever it is, and have the Senate on record, and I hope, with overwhelming support.

The VICE PRESIDENT. The bill is open to amendment.

Mr. LANGER and Mr. NEELY addressed the Chair.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. LANGER. I yield to the Senator from West Virginia.

Mr. NEELY. I thank the Senator, but I want the floor in my own time.

Mr. LANGER. Mr. President, I have listened with considerable interest to the Senator from Maryland. I agree with him that in general the purposes of the bill are fine. I agree with him that it is one of the most important bills ever to come upon the Senate floor. But I totally disagree with him as to two aspects of the bill. With respect to those aspects of the bill, I propose to offer amendments in the hope that we may be able to make the bill what it ought to be.

First of all, I call attention of the entire Senate to the report of the Judiciary Committee, which, at page 6 thereof, says:

of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

So, Mr. President, we have a situation in America wherein the House of Representatives passed a bill without having full and detailed information of the provisions of the bill, without, as a matter of fact, knowing exactly what the purpose of the bill was, and so far as I know—

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I decline to yield at this time. A little bit later, I shall be glad to yield to the Senator. I say that so far as I know, it is the first time in the history either of the House or of the Senate that any report contained the statement:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of highly confidential nature.

Mr. President, I ask every Senator, if he will, to compare the House report with the Senate report. It will be found that they are almost identical, with the exception of the three or four lines which I have just quoted. In other words, in the House there were a few Representatives who objected to the bill. By reading the proceedings of the House yesterday it became apparent that those Representatives resented the fact that they were asked to vote for a bill which had not been reported to them in its entirety, a bill as to which there was some secret, confidential information they had not obtained. The result was that when the Senate Committee on Armed Services submitted its report those four lines were eliminated.

What did Representative Celler, chairman of the House Committee on the Judiciary, say about the bill? I read from the debate in the House, on March 7, at page 1985, Mr. Celler's statement:

Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the lurid reasons? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on Armed Services. The Committee on Armed Services has nothing to do with immigration.

I may say, Mr. President, that I have here a copy of the La Follette-Monroney Act. That legislation was passed 2 years ago. It was a bill of jurisdiction of certain specific matters. On page 17 of the La Follette-Monroney Act it is provided that the Committee on

Immigration and Naturalization. The distinguished Senator from Maryland knew that, so he talked to the chairman of the Committee on the Judiciary. The distinguished Senator from Maryland is one of the ablest Senators upon the floor. He made a long and extended argument in favor of the La Follette-Monroney bill. He knew that the chairman of the Armed Services Committee had no authority to write any law affecting immigration and had no authority to pass upon such a matter. It was a matter which was entirely and solely, first of all, within the jurisdiction of the Subcommittee on Immigration and Naturalization of the Judiciary Committee. Up to the present time the bill has not been referred to the Judiciary Committee.

I want to make it clear how differently committees function. In the Eighty-third Congress the Committee on Post Office and Civil Service unanimously reported a simple bill providing for reduced postage rates to Germany, Austria, Italy, and some other European countries. When we got through with it it was decided that the bill should go to the Committee on Foreign Relations. That committee, in turn, had to pass upon the proposition as to whether there was anything in the matter of lowering postage rates to some of the foreign nations which would be detrimental to our foreign relations.

We have in the pending bill a new section, one which, according to my recollection, was not in the bill of last year. It is exclusively, fully, and completely within the jurisdiction of the Immigration and Naturalization Committee of the Judiciary Committee, and at no time was it ever referred to that committee.

Representative Celler said in his speech as follows:

Now this provision I have read out of the window, at the direction of the Attorney General mentioned in this bill and the Attorney General, all the legislative immunities and restrictions that we have built up over the years.

Representative Celler was absolutely correct. He said, further:

It throws them to the winds, and the Attorney General and the Director will admit Fascists, Communists, Hitlerists, morons, moral perverts, syphilitics, lepers, they can do it. I think the people ought to know what it is legislation is, and I think, in a measure, this incident of the cold war is unbalancing the nerves of some of our high military authorities. The whole, especially the brand we are treating is ridiculous. Secondly these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whether we are doing it. The military is not infallible. Witness the situation of the charges leveled by the military intelligence against one Agnes Smedley recently, that she was a Communist, or a Russian spy, and instead of retracting what they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision. If it is not stricken, certain safeguards should have been added.

1949

## CONGRESSIONAL RECORD—SENATE

6917

tion's most precious heritage—our continuing faith in our dependence upon Almighty God and His guidance in the affairs of men and nations."

#### COMMENDATION OF PHILIP MURRAY AND THE CIO FOR OUSTING COMMUNISTS

Mr. MARTIN. Mr. President, I rise to express commendation and my personnel appreciation of the sound action taken by Philip Murray and the executive committee of the CIO in recent days. I refer to the forthright drive to rid that great labor organization of the Communist taint in the leadership of some of its unions.

The CIO has never been on my side. In fact, it has been one of the most active of my political opponents.

For my part, I have found fault with the CIO many times. For years I have demanded that it purge itself of the Communist-card carriers and the fellow travelers who have had such great influence in its activities. And for years, because of this demand, some members of the CIO have called me a wide variety of names—none of them pleasant.

I have also criticized the rule-or-ruin tactics of the CIO, its insistence that public officials take care of it first, ahead of the welfare of the public as a whole. I shall always object to such tactics, whether they come from labor, industry, politics, or from any other source, including the Federal bureaucrats.

But when Philip Murray and his CIO do a fine and courageous thing, even though belatedly, I feel that they should be commended and congratulated.

I hesitated for several days to make this statement on the floor of the Senate. I believed it should and would come from the CIO's friends in the Senate, those who have backed its activities, and who in turn have been the beneficiaries of PAC votes.

But, oddly enough, none of them has come forward on this floor to laud that organization for its increasingly successful fight to get rid of the foul fumes of communism which pervade some sections of the CIO.

Since I believe that public recognition is due Mr. Murray and the CIO, I have decided that I should call attention to their action, rather than let it go unnoted on the floor of the United States Senate.

I want to remind the Senate that Philip Murray, national president of the CIO and of its steelworkers, is a Pennsylvanian. He is a former coal miner of my State; in fact, he worked in the coal mines of Washington County, my own home county. He rose to his present eminence by hard work and full use of his intelligence. He is and always has been strongly anti-Communist.

What is new and important is that finally he has been able to rally enough other leaders of his organization to make the drive which is presently succeeding.

Mr. President, I commend to the United States Senate the action of the CIO board, which met here in Washington the other day and made clear that it will no longer tolerate Communists and Communist sympathizers in high places in that labor organization.

It is appropriate also at this time to suggest similar action by those bureaucrats who, willfully or otherwise, have closed their eyes to the dangers of communism in this country. I recommend that they face this situation with vigor and courage, and take such steps as are necessary to drive out every Communist who holds a place in our Government.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

The Senate resumed the consideration of the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

Mr. TYDINGS. Mr. President, I should like to make a brief explanation of the pending bill. It is similar to one which was passed unanimously by the Senate at the last session. The bill presently before us is a House bill which passed the House of Representatives, as I recall, by a large favorable vote; I think there were only about four votes in opposition to it. It is called the Central Intelligence Agency bill.

Although this measure may be looked upon by some persons as of little importance, in my opinion, for whatever it may be worth, it is one of the most important pieces of legislation which we shall consider in this Congress. I say that for the reason that it is important that our military authorities be completely advised in regard to what is taking place in the world, so that they may constantly make an estimation of the probable dangers which eventually may confront our country, and of how they may deal with them.

The bill relates entirely to matters external to the United States; it has nothing to do with internal America. It relates to the gathering of facts and information beyond the borders of the United States. It has no application to the domestic scene in any manner, shape, or form.

The work to which the bill relates is dangerous work. In many localities where representatives of our Government may go in quest of information, if they are detected they are likely to pay for their adventuresome spirit with their very lives. I should say it is not improbable—and I am measuring my words—that many men working for our government already have paid the supreme sacrifice in attempting to gather information of a nature vital to our country. Particularly when our soldiers are stationed abroad in such goodly numbers in many countries, and where there are at times the possibilities of conflict, it is important that a variety of useful information be assembled, in case of need—not that we are going to use it to make war, but so that we may use it in the event war is made upon us, so as to save the lives of citizens of our country and even the lives of civilians who are not citizens of our country, but who might be killed in the event of war.

This bill has the approval of the State Department and of the Department of Defense. Its enactment is desired by the

military department of the Government. The bill has been referred to the chairman of the Judiciary Committee of this body, the Senator from Nevada [Mr. McCARRAN] who is in charge of certain phases of activity in our domestic scene upon which this measure might impinge slightly; to wit, the admission to this country of an immigrant who would give us valuable information. The Senator from Nevada has read the bill and has given his written approval of it.

I am available now to answer questions, insofar as I can, by Senators who are not members of the committee, who perhaps would like to have some information which I have not covered in this brief summary. I have no desire to take up the time of the Senate in an extensive analysis of the bill, but I think I have indicated enough to show what its general purport is and how important it might be in conceivable circumstances to the safety and the lives of people in and out of uniform in our own country.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Virginia.

Mr. ROBERTSON. I should like to ask the distinguished Senator from Maryland whether the program is to supplant the present counterintelligence work of the Army or is to complement it?

Mr. TYDINGS. I may say the bill changes nothing that is not now in existence insofar as foreign intelligence is concerned. It is already provided in the Unification Act that there shall be a central intelligence agency charged with these duties, but unfortunately the provision is couched in a generality, and this bill is to give the agency, inasmuch as we have it anyway, the mechanics so it can be more effective than it could otherwise be.

Mr. ROBERTSON. I may say to my distinguished colleague that I am in full sympathy with the purpose of the bill, and shall gladly support it.

Mr. TYDINGS. I say in conclusion, we must always know the size of the armies of other countries, we must know what their air potential is, what inventions they are pursuing, what the people in a possible enemy country are likely to think or are likely to do, or how they are likely to react to a given circumstance. We cannot merely take the word always of the governmental authorities who are for the moment in charge of those countries. We have to know the real truth, and it is in order to do this that we have such an agency as this, that the logistics that flow from this information may be always available in the time of emergency.

Mr. CAIN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Washington?

Mr. TYDINGS. I yield.

Mr. CAIN. May we safely conclude that the distinguished Senator from Maryland did not benefit from what the Senator and his associates have endeavored to work out and are now presenting to the Senate?

are was being contemplated; or we might ask the Chief of the Biological Warfare Service to sit with the Joint Chiefs of Staff when biological warfare as being contemplated. The Marine Corps will be represented on the Joint Chiefs of Staff, because the Navy will be represented there, and the Marine Corps is a part of the Navy.

Certainly we could not very well pick at various functions or services in the Army and have them specially represented on the Joint Chiefs of Staff when particular activities involving them were under consideration or were about to be engaged in.

No military support has been presented for the amendment.

With all due respect to the Marine Corps, I think it would be unfortunate to make an exception in its case, because to do so would be to give the Navy two votes on the Joint Chiefs of Staff, although the Army and the Air Corps could still have only one each.

If the amendment were adopted, of course the next step proposed would be to increase the representation of the Army and the Air Corps on the Joint Chiefs of Staff, so as to give all three services equal representation there.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Vermont [Mr. FLANDERS], on behalf of himself, the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Illinois [Mr. DOUGLAS].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill. The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill S. 1843 was passed.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

Mr. LUCAS. Mr. President, I ask unanimous consent that the unfinished business, House bill 1211, to extend the authority of the President under section 10 of the Tariff Act of 1930, as amended, and for other purposes, be temporarily laid aside, and that the Senate proceed to consideration of House bill 2663, Calendar No. 90, an act to provide for the administration of the Central Intelligence Agency.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 163) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. WHERRY. I have no objection. There being no objection, the Senate proceeded to consider the bill.

#### ACQUISITION OF SITES FOR FEDERAL BUILDINGS

The PRESIDING OFFICER (Mr. SCHOEPPLE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 714) to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes, which was to strike out all after the enacting clause and insert:

That this act may be cited as the "Public Buildings Act of 1949."

#### TITLE I—COMPREHENSIVE PLANNING OF FEDERAL PUBLIC BUILDINGS OUTSIDE OF THE DISTRICT OF COLUMBIA

SEC. 101. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, lands or interests in lands as sites or additions to sites for Federal public building projects previously authorized and for such new projects as may be selected in the manner designated in this section, to make investigations and studies and to prepare plans, sketches, working drawings, and specifications for such projects. Whenever the Federal Works Administrator shall determine such action to be necessary, such investigations, studies, preparation of plans, sketches, working drawings, and specifications, may be undertaken prior to the approval of title to the sites by the Attorney General. When buildings to be used in whole or in part for post-office purposes are involved, the Federal Works Administrator, shall act jointly with the Postmaster General in the selection of towns or cities in which buildings are to be constructed, and in the choice of sites therein for such projects. The Federal Works Administrator and the Postmaster General shall submit to the Congress a comprehensive report of all eligible projects and their limits of cost when in excess of \$200,000, without regard to the time in which they may be undertaken, which report shall be printed as a public document. When the estimated cost of a project does not exceed \$200,000 the limit of cost shall be determined by the Commissioner of Public Buildings. Selection of projects for the purposes of this title shall be made by the Federal Works Administrator and the Postmaster General from such report and they may also select such other projects not included in such report which in their judgment are economically sound and advantageous to the public service: *Provided*, That in making such selections they shall distribute the selected projects equitably throughout the country with due regard to the comparative urgency of projects in various sections of the country.

SEC. 102. It is the intent of the Congress that the equitable distribution of selected projects required by section 101 of this title shall provide for the participation by each congressional district in the benefits that will accrue from the future construction of one or more of such selected projects. It is the further intent of the Congress that those congressional districts in which are located sites for construction (including those for which sites have been acquired), but which have been deferred, shall be entitled to such project or projects, or the equivalent thereof, in

addition to the projects authorized and selected under this title.

SEC. 103. For carrying out the purposes of this title, including administrative, supervisory, traveling, and other expenses in connection therewith, there is hereby authorized to be appropriated the sum of \$40,000,000 to remain available until expended.

#### TITLE II—ACQUISITION OF SITES AND TRANSFER OF JURISDICTION OVER SITES BY VARIOUS AGENCIES AND DEPARTMENTS OF THE GOVERNMENT

SEC. 201. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, land situate in the northwest section of the District of Columbia designated as squares 11, 19, 20, and 32, said land to be used wholly or in part together with other Government-owned land adjacent or in close proximity thereto as the site or sites for a departmental building or buildings project authorized to be constructed thereon.

SEC. 202. In order to provide a more suitable site for the new San Diego, Point Loma, Calif., Quarantine Station, the Secretary of the Navy is hereby authorized and directed to transfer to the control and jurisdiction of the Federal Works Agency, without reimbursement, a parcel of land in the city of San Diego, county of San Diego, State of California, described as follows:

Commencing at an old stone monument marked "U. S. M. R.", on the northerly boundary line of the naval fuel annex, said point being the true point of beginning; thence from said true point of beginning north eighty-nine degrees thirty-one minutes thirty-five seconds east one hundred and eleven and six one-hundredths feet, more or less, to a point on the mean high-tide line of San Diego Bay; thence south five degrees twenty-two minutes fifty seconds west along the mean high-tide line three hundred and ten and eleven one-hundredths feet; thence south one degree fifteen minutes forty-five seconds west along the mean high-tide line one hundred and three and fifty one-hundredths feet; thence leaving said mean high-tide line south eighty-nine degrees thirty-one minutes thirty-five seconds west five hundred and eighty-seven and nine one-hundredths feet; thence north one degree thirty-eight minutes twenty-five seconds west two hundred and one and forty-three one-hundredths feet; thence north twelve degrees twenty-four minutes forty-five seconds east two hundred and sixteen and nine one-hundredths feet to a point on the northerly boundary line of the naval fuel annex; thence along said northerly line of the naval fuel annex north eighty-nine degrees thirty-one minutes thirty-five seconds east four hundred and sixty-six and seventy-four one-hundredths feet to the true point of beginning, containing five and six tenths acres, more or less.

And the Federal Works Administrator is hereby authorized and directed to transfer to the control and jurisdiction of the Department of the Navy, without reimbursement, all the land comprising the present quarantine station site lying and being in the city of San Diego, county of San Diego, State of California, bounded on the south by First Street, on the west by San Antonio Avenue, on the north by Colorado Street, and on the east by San Diego Bay.

SEC. 203. The Federal Works Administrator is hereby authorized and directed to transfer to the jurisdiction and control of the Department of the Army, without reimbursement, for use for military purposes, all the land comprising the present quarantine station situated on Quarantine and Sand Streets, San Diego, California, described as follows:

Beginning at the southwest corner of tract C transferred to the Commerce Department by the War Department by Transfer Order



4240

## CONGRESSIONAL RECORD—SENATE

APRIL 11

obstructing interstate and foreign commerce, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. TAFT. Mr. President, I object.

The VICE PRESIDENT. On objection, the bill will be passed over.

#### TRANSFER OF POMONA STATION OF AGRICULTURE REMOUNT SERVICE

The bill (S. 969) to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif., was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, am I correct in my understanding that we are now on Calendar 84, Senate bill 969?

The VICE PRESIDENT. That is correct.

Mr. WHERRY. If I may inquire, can the Senator from Oregon tell us whether consideration of this bill also is objected to on the same basis as the objection to the bill relative to Crawford, Nebr.?

Mr. MORSE. No. Mr. President, I have gone into this bill, and it is a good example of the distinction in principle to which I have heretofore alluded. In this case all the bill proposes to do is to return to the Kellogg Foundation the property which they sought to turn over and did turn over to the Federal Government for a particular use. The Federal Government no longer desiring the property for that purpose, I think it is perfectly proper to return the property to the Kellogg Foundation. It is not a case of giving away property that belongs to all the people of the United States, but rather returning property turned over to the Government for a particular use which the Government no longer wants to make use of. I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment on page 1, line 7, after the word "California", to strike out ", which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg", and insert "which tract, originally in the ownership of W. K. Kellogg, was conveyed to the United States acting through the War Department (now Department of the Army)", so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to transfer and convey to the W. K. Kellogg Foundation, Inc., without cost, the real property, comprising 812 acres, more or less, of the Agriculture Remount Station at Pomona, Calif., which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg and subsequently transferred to the Department of Agriculture pursuant to the act of April 21, 1948 (62 Stat. 107), and such of the personal property of said station as may be agreed upon, in writing, by the Secretary of Agriculture and the W. K. Kellogg Foundation, Inc.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY—BILL PASSED OVER

The bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

Mr. TYDINGS. Mr. President, I should like to make a brief explanation of the bill. This is a very important bill to those who are identified with the Central Intelligence Agency. In modern times it is necessary to assemble all the information that can be obtained concerning our own national security and its relationship to the national security of other countries. All governments—we might as well be frank about it—utilize every reasonable agency they can to assemble desirable information concerning the activities of other governments. Sometimes in some countries men who are engaged in trying to find out what is going on lose their lives. They are caught, held as spies, and liquidated. They are never heard of again. The bill does not provide for any new activity. What it does particularly is to seek to safeguard information procured by agents of the Government so that it will not fall into the hands of enemy countries or potential enemy countries who would use the information to discover who the agents were, and kill them.

To my certain knowledge, in a certain area, not many years ago three good Americans who were trying to serve their Government by finding out whether the intentions of another government were strictly honorable were liquidated. The men were detected and killed. What the bill does is to seek to keep their names and identities out of the normal accounting channels, so that they cannot be picked up through the promiscuous dissemination of information. That is the principal point in the bill.

I shall not ask for its immediate consideration. I know there are some Senators, one of whom is my good friend and colleague, the Senator from North Dakota, who wants more time to look into it. But I wanted to make this brief explanation, so that Senators would have in mind what is in the bill as they consider it and read it in the future. I shall be very glad to yield, within the time limit that is left to me, to answer, if I can, any question any Senator may desire to raise.

The VICE PRESIDENT. The bill will be passed over, then.

#### DISCLOSURES RELATING TO UNITED STATES CODES, ETC.—BILL PASSED OVER

The bill (S. 277) to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communications intelligence activities of the United States was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. FERGUSON. Mr. President, reserving the right to object, I have no objection.

Michigan that the words "lawful demands," do not mean that a subpoena by Congress will be necessary in order to obtain information for congressional committees, either of the Senate or House, or joint committees. Will the Senator from Texas make a statement to that effect for the record?

Mr. JOHNSON of Texas. The Senator from Michigan has correctly stated the meaning.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Colorado. I ask that the bill go over.

The VICE PRESIDENT. Does the Senator object?

Mr. JOHNSON of Colorado. I object.

The VICE PRESIDENT. The bill will be passed over.

#### BILL PASSED OVER

The bill (H. R. 1211) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, was announced as next in order.

Mr. WHERRY. Mr. President, by request, I ask that the bill go over. I should also like to have the same statement made following the objection raised by me to Calendar 71, Senate bill 1070.

The VICE PRESIDENT. On objection, the bill will be passed over.

#### BILL PASSED OVER

The bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. LODGE. By request, I object.

Mr. THOMAS of Oklahoma. Mr. President, I should like to inquire whether the Senator from Massachusetts will withhold the objection for a moment?

Mr. LODGE. I may say to the Senator from Oklahoma I am making objection at the request of a colleague who cannot be present today. I, myself, have no interest in the matter.

Mr. THOMAS of Oklahoma. Mr. President, essentially the bill contains but two provisions. One is a reference to the board personnel. The second is a reference to broadening the powers of the Commodity Credit Corporation. I understand there are objections to the personnel of the board as proposed in the bill. It is not necessary, in my opinion, to consider the second objective, which is to give the Commodity Credit Corporation power to acquire property by gift, lease, or otherwise for the construction of storage facilities. In order to secure action on the bill if the objection runs to the first feature, the personnel of the board, I should be willing, as author of the bill in part, to waive that feature in order to have the bill go into law.

Mr. LODGE. I may say to the Senator I, myself, have no knowledge of the bill. My colleague, a very good friend, has been very helpful in this matter.

1949

# CONGRESSIONAL RECORD—HOUSE

1949

where appropriate existing agencies and facilities: *Provided*, That the agency shall have no police, subpoena, law enforcement powers, or internal security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosures;

## Fourth:

To perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

## Fifth:

To perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Now, what authority is granted in the proposed legislation? Well, the bill creates a seal of office for the Central Intelligence Agency. It extends to it certain provisions of the Armed Services Procurement Act of 1947. It permits the Director to provide for special instruction and training of agency personnel. It provides for travel allowances and expenses for agency personnel. It permits agency personnel to return to the United States on leave after 2 years of foreign service. It provides for the payment of transporting and storing household belongings. It provides for the health of employees overseas by permitting the payment of travel expenses to the nearest adequate medical facilities when local medical facilities are inadequate. It provides for the establishment of first aid stations at posts overseas. It provides for physical examinations for all employees. It provides for transporting the remains of an employee or a member of his family who may die while overseas, and it provides that the agency may recruit foreign nationals abroad where citizens of the United States are not available for such employment. And it provides allowances for agency employees similar to those given to State Department Foreign Service employees. It also contains other provisions of greater significance, such as the authority to transfer and receive from other Government agencies such sums as may be approved by the Bureau of the Budget for the performance of any of the agency functions. This is how the Central Intelligence Agency gets its money. It has been going on since the agency was created, and this simply legalizes that important function which is the only means by which the amount of money required to operate an efficient intelligence service can be concealed. Likewise, the bill removes certain limitations which exist under provisions of law which limit the amount of rental that the agency may pay for its quarters overseas and the amount of improvements that it may make in such leased facilities. This makes sense in view of the fact that an efficient intelligence agency must be able to rent adequate facilities regardless of the value of the property and must be permitted to make such improvements as the property as may be necessary for the proper safeguarding of information, and

the installation of necessary equipment. The bill also eliminates the agency from the requirements of law which result in the publication of personnel data in the Official Register of the United States, and exempts the Bureau of the Budget from the necessity of including in its public report to the Congress the agency's personnel strength. This information has not heretofore been made public and must, of course, continue not to be made public, and this merely legalizes such action.

The most widely publicized feature of the bill is that with respect to the provision which provides for the admission of 100 aliens for permanent residence in the United States. This will only be done when the Director and the Attorney General concur in the admission of such aliens and will permit the agency to offer to certain defectors and others the greatest reward possible in this world today, residency in the United States. These people will be carefully screened and their admission will only be in the best interests of the United States, and, furthermore, if at a later date they should prove undesirable they can be deported.

Another section of the bill provides that the agency may spend sums made available to it without regard to provisions of existing law. It also permits the expenditure of funds for confidential purposes to be solely accounted for by certification of the Director. This is not unusual. The State Department has such authority, as does the Atomic Energy Commission, and, for that matter, so in effect do all branches of the armed services.

Therefore the only significant feature of this bill which will be completely new in all respects will be that pertaining to the admission of 100 aliens in the United States.

There has been a great deal of discussion as to why the committee meetings were conducted in executive session without a stenographic record being kept. It is obvious that there is certain information which must be confined to as few people as possible. For example, it would not be wise to disclose to the world the amount of money necessary to operate the Central Intelligence Agency annually. Nor would it be wise to announce to the world the number of personnel employed by the agency. Nor would it be wise to announce just where our CIA is operating, or how they are operating, or what information they are seeking to obtain, or what information they have obtained. But in order for a congressional committee to properly analyze a bill granting authority to an agency to perform certain functions, it seemed wise to obtain this information but not to make it public.

This bill will enable the agency to have legal authority for practically all the things it is now doing. You will note that the National Security Act specifically excludes the agency from internal security functions. There is no problem of invasion of the rights of American citizens involved in this legislation. If this Nation wants a modern, efficient, effective, capable, valuable intelligence gathering agency, we will be the only nation in

the world without one. It would seem a little ridiculous to spend one-third of our annual budget for our national defense and not grant reasonable monetary, statutory and administrative support to the agency charged with gathering the intelligence information which has so much to do with the size of the appropriations we grant for the strength of our armed services.

I might add that this bill was reported unanimously by the subcommittee and unanimously by the full committee. That there were no dissenting votes is significant. The records indicating the Members who attended the meetings are available for public inspection.

## HOUSE RESOLUTION 130

The SPEAKER. Without objection, House Resolution 130 will be laid on the table.

There was no objection.

## THE COMMUNIST PARTY

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina

There was no objection.

Mr. BRYSON. Mr. Speaker, in view of the daily recurrence of events we cannot longer sit supinely by and allow members of the ungodly Communist Party to destroy us. Repeatedly, I have spoken out against the apparent determination on the part of Stalin's agents in this country to thwart all efforts toward establishing permanent peace.

Words and efforts of conciliation have proven to be of no avail. We must strike and strike now before it is too late. Today, I have introduced a bill in the House, which if enacted, would outlaw the Communist Party and order deportation of all foreign Communists within our borders. I submit this vital measure to each of you for its immediate favorable consideration.

Attached hereto I include a very timely editorial from my home-town newspaper, the Greenville Piedmont:

## COMMUNISTS DROP MASK OF PATRIOTISM

In less than 2 weeks Communists in three democratic countries have made the convenient flexibility of the Red line of reasoning and the calculated treachery of the party oath brutally clear. The truth is not in fact and honor has no meaning for them.

The two top American Communists, National President William Z. Foster and General Secretary Eugene Dennis, said this week that in the event of war between the United States and Russia the American Communist Party would try to defeat the predatory war aims of American imperialism.

They said they did not think war was inevitable, that they believed the American and Russian systems could exist separately and peaceably. But, they added, if Wall Street should plunge the United States into war, the Communists would oppose it as unjust and aggressive and destructive of the deepest interests of the American people.

There, you have it. Should Russia attack us, Wall Street aggression would be blamed. French Communist Maurice Thorez said last week that Soviet Russia was by definition the aggressor. Therefore, if another nation becomes involved in a war with Russia, no matter what the circumstances,

1948

## CONGRESSIONAL RECORD—HOUSE

MARCH 7

brought out at that time that no internal security work of any kind would be done by the CIA; that all of its intelligence work would be done in a foreign field. In view of this particular paragraph here I want to be assured at this time that such special duties as are mentioned here, or reorientation, do not apply to security functions in the United States.

Mr. SASSER. Mr. Speaker, if the gentleman will yield, I will say to the gentleman that that is correct, that this bill is in no wise directed to internal security. If they come back here it is purely a matter of leave, and reorientation, and training to go back into their work in foreign fields.

The SPEAKER. The time of the gentleman from New York has expired.

The question is on suspending the rules and passing the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 348, nays 4, not voting 82, as follows:

[Roll No. 23]  
YEAS—348

Abernethy	Camp	Fenton
Albert	Cannon	Fernandez
Allen, Calif.	Carlyle	Fisher
Allen, Ill.	Carmahan	Flood
Allen, La.	Carroll	Fogarty
Andersen, H. Carl	Case, S. Dak.	Forand
Anderson, Calif.	Cavaleante	Ford
Andrews	Chesney	Frazier
Angell	Chapman	Fugate
Arends	Chelf	Fulton
Aspinall	Chesney	Furcolo
Achincloss	Chipperfield	Gamble
Barden	Christopher	Garmatz
Barrett, Wyo.	Clemente	Gary
Bates, Ky.	Cleaver	Gathings
Bates, Mass.	Coffey	Gavin
Battle	Cole, Kans.	Gillette
Beall	Colmer	Golden
Beckworth	Combs	Goodwin
Bennett, Fla.	Cooper	Gordon
Bennett, Mich.	Cotton	Gore
Bentzen	Cox	Gorski, Ill.
Biemiller	Crawford	Gorski, N. Y.
Bishop	Crook	Gosselt
Blackney	Crosser	Graham
Bland	Cunningham	Granger
Blatnik	Curtis	Grant
Boggs, Del.	Dague	Green
Boggs, La.	Davis, Ga.	Gregory
Bolling	Davis, Wis.	Hagen
Bolton, Md.	Dawson	Hale
Bolton, Ohio	Deane	Hall
Bonner	Delaney	Edwin Arthur
Boydin	Denton	Halleck
Bramblett	D'Ewart	Hardy
Breen	Dolliver	Haro
Brock	Dondero	Harris
Brown, Ga.	Doughton	Harrison
Brown, Ohio	Doyle	Hart
Bryson	Durham	Harvey
Buchanan	Eaton	Havenner
Burdick	Eberhart	Hays, Ohio
Burke	Elliot	Hedrick
Burleson	Elkworth	Heffernan
Burnside	Elston	Heller
Burns	Engle, Calif.	Hinshaw
Burns, N. Y.	Evins	Hobbs
Burns, N. Y.	Fallon	Hoeven
Burns, N. Y.	Farmer	Holifield
Burns, N. Y.	Faulkner	Holmes

Hope	Meyer
Horan	Michener
Howell	Miles
Huber	Miller, Calif.
Hull	Miller, Md.
Jackson, Calif.	Miller, Nebr.
Jackson, Wash.	Mills
Jacobs	Monroney
James	Morgan
Jenison	Morrison
Jenkins	Morton
Jennings	Murray, Tenn.
Jensen	Murray, Wis.
Jonas	Nelson
Jones, Ala.	Nicholson
Jones, Mo.	Noland
Jones, N. C.	Norblad
Judd	O'Brien, Ill.
Karst	O'Brien, Mich.
Karsten	O'Hara, Ill.
Kearney	O'Hara, Minn.
Keating	O'Sullivan
Kee	O'Toole
Keeffe	Pace
Kelley	Pasman
Kennedy	Patman
Kerr	Patten
Kilburn	Perkins
Kilday	Peterson
Kirwan	Pfeiffer
Klein	William L.
Kruse	Philbin
Lanham	Phillips, Calif.
Larade	Phillips, Tenn.
LeCompte	Pickett
LeFevre	Poe
Lemke	Polk
Lesinski	Potter
Linhhan	Preston
Lodge	Price
Lovis	Priest
Lucas	Quinn
Lyle	Rabaut
McCarthy	Rains
McConnell	Ramsay
McCormack	Rankin
McCulloch	Reed, Ill.
McDonough	Reed, N. Y.
McGrath	Rees
McGregor	Regan
McGuire	Rhodes
McKinnon	Ribicoff
McMillan, S. C.	Rich
McMillan, Ill.	Richards
Mack, Ill.	Richman
Mack, Wash.	Rivers
Madden	Rodino
Magee	Rogers, Fla.
Mahon	Rogers, Mass.
Mansfield	Rosen
Marshall	Sabath
Marshall	Sadlak
Martin, Iowa	St. George
Martin, Mass.	Starnorn
Mason	
Merrill	

NAYS—4

Bosone	Morris	Powell
Marcantonio		

NOT VOTING—82

Abbott	Hand	Nixon
Addonizio	Harden	Norton
Bailey	Hays, Ark.	O'Neill
Baring	Hobert	Patterson
Barrett, Pa.	Herlong	Pfeifer
Bloom	Herter	Joseph L.
Buckley, Ill.	Hill	Plumley
Buckley, N. Y.	Hoffman, Ill.	Poulsen
Bulwinkle	Hoffman, Mich.	Redden
Canfield	Irving	Sadowski
Case, N. J.	Javits	Scott, Harde
Chudoff	Johnson	Scott
Cole, N. Y.	Kean	Hugh D. Jr.
Cooley	Kearns	Smith, Ohio
Corbett	Keogh	Somers
Coudert	King	Stockman
Davenport	Kunkel	Taurilio
Davies, N. Y.	Lane	Taylor
Davis, Tenn.	Latham	Thomas, N. J.
DeGraffenreid	Lichtenwalter	Weichel
Dingell	Lind	Whitaker
Dollinger	Lynch	White, Idaho
Donohue	McGweney	Wilson, Ind.
Douglas	Macy	Wilson, Okla.
Gilmer	Mitchell	Winstead
Granchan	Moulder	Woodhouse
Gwinn	Multer	Young
Heller	Murdoch	
Hill		
Hinshaw		
Hobbs		
Hoeven		
Holifield		
Holmes		

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Hays of Arkansas with Mr. Hugh D. Scott, Jr.  
Mr. deGraffenreid with Mr. Case of New Jersey.  
Mr. Whitaker with Mr. Hardin Scott.  
Mr. Hebert with Mr. Hand.  
Mr. Lind with Mr. Smith of Ohio.  
Mr. Addonizio with Mr. Kean.  
Mr. King with Mr. Coudert.  
Mr. Taurilio with Mr. Canfield.  
Mr. Winstead with Mr. Macy.  
Mr. Murphy with Mr. Kunkel.  
Mr. Lynch with Mr. Patterson.  
Mr. Chudoff with Mr. Poulsen.  
Mr. Buckley of Illinois with Mr. Leonard W. Hall.  
Mr. Granahan with Mr. Kearns.  
Mrs. Norton with Mr. Latham.  
Mr. Joseph L. Pfeifer with Mr. Plumley.  
Mr. Young with Mr. Taylor.  
Mr. McSweeney with Mr. Hoffman of Illinois.  
Mrs. Douglas with Mr. Gwinn.  
Mr. Lane with Mr. Corbett.  
Mr. Donohue with Mr. Lichtenwalter.  
Mr. Dingell with Mr. Cole of New York.  
Mr. Baring with Mr. Wilson of Indiana.  
Mrs. Woodhouse with Mr. Weichel.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, during the past few days there has been a great deal of publicity and discussion about a bill reported favorably by the Armed Services Committee with respect to our Central Intelligence Agency.

There is nothing startling in this bill and, with one major exception, practically all of the remaining provisions of the proposed legislation now exist for some branch or branches of the Government. In fact, almost all of the proposed legislation was taken from existing laws applicable to other Government agencies, particularly the State Department.

The Central Intelligence Agency was established pursuant to section 102 of the National Security Act of 1947. Its functions are set out in that act, which states that it shall be the duty of the agency, under the direction of the National Security Council:

First:

To advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security

Second:

To make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

Third:

To coordinate the intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence to the departments and agencies of the Government.

1949

## CONGRESSIONAL RECORD—HOUSE

1949

counterespionage or counterintelligence, people that a democracy would spew out under all circumstances. We are suspending all laws with regard to Government expenditures, and we are asking the Members of Congress to suspend their prerogatives and cease to do their duty on legislation with full explanation of the legislation. Of course, there are times when bills get by. We cannot all be up to date on everything. We might not know what is in a bill. That happens. But this time we are told that we are not supposed to know what is in the bill. I want to read that again, and I hope it will sink in:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

Congress is suspending its right to legislate and we are being asked to do this in furtherance of a cold war. This is illustrative of what this imperialist cold war is imposing on the people of a country: Suspending its civil liberties, invasion of the labor movement by intelligence agents, admission of undesirables—undesirable in any democracy—and asking Members of Congress to suspend their prerogative to pass on legislation.

But you say this is dealing with espionage, that this is done for the sake of security. I refuse to believe that our Nation is so unsafe from a security standpoint that we have to suspend not only the civil liberties of the people but the legislative prerogatives of the Representatives of the people in the Congress. If you want to do this in the hope that a newspaper will not criticize you for voting against it because of the hysteria which is being whipped up, that is your privilege; but I submit that the situation is obvious: Hysteria is used to undermine the civil liberties of the people and extend the military control—military control—I emphasize that, over the lives and thinking of the people of these United States.

Mr. Speaker, I reserve the balance of my time.

Mr. VINEON. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Missouri (Mr. SHORT).

The SPEAKER. The gentleman from Missouri is recognized for 4 minutes.

Mr. SHORT. Mr. Speaker, there is some plausibility in the argument advanced by the gentleman from New York. I suppose that none of us in the Chamber at this moment likes this particular kind of legislation, but I think we all will agree that the weakest link in our chain of national defense in days gone by has been in a weak intelligence system. The Germans, the Russians, the British, have had far better systems of intelligence than have we, and in spite of all our wealth and power and might we have been exceptionally weak in psychological warfare notwithstanding the fact that an idea is perhaps the most powerful weapon on this earth.

The pending bill, H. R. 2663, is substantially the same as the bill which was introduced in the Eightieth Congress, unanimously reported by the Senate Committee on the Armed Services, and

passed the Senate. A companion bill was unanimously reported by the House Committee on the Armed Services, but due to lack of time it failed of passage in the Eightieth Congress.

The purpose of this bill is simply to give the Central Intelligence Agency authority that is necessary for its proper administration. It is true that we will bring in not to exceed 100 persons a year, but before they are admitted they will be carefully screened by both the Director of Central Intelligence and the Attorney General of the United States. They act jointly, and it is absolutely essential that some of the information given to members of our committee as was given to members of the Rules Committee, must be kept confidential, because it is of a secret nature. The FBI does not advertise the movements it makes in the apprehension of a criminal. Our intelligence officers to be effective and in their own defense as well as the country's must keep many of their movements secret. I think it would be supreme folly for us to discuss every phase and ramification of a bill that is of such a highly confidential nature.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from North Carolina.

Mr. DURHAM. Did the committee satisfy itself as to the expenditure of this fund?

Mr. SHORT. It did, and there is a definite limitation upon this. We limited not only the number of persons to be admitted but also the amount of money to be expended; however, we are not telling how, when, where, or to whom the money will go. We cannot, because of the very nature of the problem.

I am glad the gentleman from New York quoted from page 6 of the committee report because the language itself is self-explanatory. You are going to have to trust somebody, Mr. Speaker, and while perhaps it is asking too much for you to trust the members of the Committee on the Armed Services I think you can trust the Committee on Rules or any other committee of this House. Both committees mentioned reported this bill unanimously.

We are engaged in a highly dangerous business. It is something I naturally abhor but sometimes you are compelled to fight fire with fire. There is no other way out of it so far as I can see and perhaps the less we say in public about this bill the better off all of us will be.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the gentleman from Missouri has stated correctly that information is withheld sometimes by a committee when it receives information which is confidential. However, what is before us is not an instance of merely withholding information. I read from the report:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation. It is obvious, and even a 6-year-old child can see the distinction. What we

have here is not a matter of withholding information; it is a matter of asking the Congress to legislate even though an explanation of the legislation is refused by the committee. The complaint I make is that the committee refuses to give any explanation of some of the provisions of the bill.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Missouri.

Mr. SHORT. I want to call the attention of the Members of the House to a sentence from Rear Adm. Hildner's request which he made in a letter addressed to the Speaker of the House, found on pages 6 and 7 of the report.

In next to the last paragraph he states:

In almost all instances, the powers and authorities contained in the bill already exist for some other branch of the Government, and the bill merely extends similar authorities to the Central Intelligence Agency.

That is absolutely true. These authorities exist for other Government agencies and all this bill does is to extend to the Central Intelligence Agency the powers already enjoyed by other agencies.

Mr. MARCANTONIO. The gentleman from Missouri has answered himself. The rear admiral says "in almost all instances," and again I say the committee refuses to explain the instances that are not covered by the rear admiral's statement, "in almost all instances." It is the exceptions that concern me.

Mr. SHORT. In the original statement of the gentleman from New York he said that never before had the Congress considered such legislation. We all know that the President was given blanket authority so far as the atomic bomb was concerned, and we spent \$2,000,000,000 of the taxpayers' money before anybody knew what it was.

Mr. MARCANTONIO. The gentleman will remember that in connection with the atomic bill that we had here there was a report on the legislation. Nowhere in the report was it stated that the report did not contain a full and detailed explanation of all the provisions of the proposed legislation. The legislation was explained section by section in the report accompanying the bill. This is the first time in the history of Congress that Members are being asked to vote on legislation about which not merely information is withheld but also explanation as to the provisions of the legislation.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from California.

Mr. HOLIFIELD. I would like to question the gentleman from Missouri. On page 4 of the report, subsection 5 (b) it is provided that an employee while in this country on leave may be assigned to temporary duty in the United States for special purposes or reorientation prior to returning to foreign service.

The bill passed through the Committee on Expenditures, of which I am a member, we had the setting up of this CIA. It was clearly



are was being contemplated; or we might ask the Chief of the Biological Warfare Service to sit with the Joint Chiefs of Staff when biological warfare as being contemplated. The Marine Corps will be represented on the Joint Chiefs of Staff, because the Navy will be represented there, and the Marine Corps is a part of the Navy.

Certainly we could not very well pick at various functions or services in the Army and have them specially represented on the Joint Chiefs of Staff when particular activities involving them were under consideration or were about to be engaged in.

No military support has been presented to the amendment.

With all due respect to the Marine Corps, I think it would be unfortunate to make an exception in its case, because to do so would be to give the Navy two votes on the Joint Chiefs of Staff, although the Army and the Air Corps would still have only one each.

If the amendment were adopted, of course the next step proposed would be to increase the representation of the Army and the Air Corps on the Joint Chiefs of Staff, so as to give all three services equal representation there.

**THE PRESIDING OFFICER.** The question is on agreeing to the amendment proposed by the Senator from Vermont (Mr. FLANDERS), on behalf of himself, the Senator from Wisconsin (Mr. MCCARTHY), and the Senator from Illinois (Mr. DOUGLAS).

The amendment was rejected.

**THE PRESIDING OFFICER.** The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the en passant and third reading of the bill. The bill was ordered to be engrossed for a third reading, and was read the third time.

**THE PRESIDING OFFICER.** The bill having been read the third time, the question is, Shall it pass?

The bill S. 1243 was passed.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

**MR. LUCAS.** Mr. President, I ask unanimous consent that the unfinished business, House bill 1211, to extend the authority of the President under section 3 of the Tariff Act of 1930, as amended, and for other purposes, be temporarily laid aside, and that the Senate proceed to the consideration of House bill 2663, Calendar No. 50, an act to provide for the administration of the Central Intelligence Agency.

**THE PRESIDING OFFICER.** The bill will be stated by title for the information of the Senate.

**THE LEGISLATIVE CLERK.** A bill (H. R. 63) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

**THE PRESIDING OFFICER.** Is there objection to the request of the Senator from Illinois?

**MR. WHERRY.** I have no objection. There being no objection, the Senate proceeded to consider the bill.

#### ACQUISITION OF SITES FOR FEDERAL BUILDINGS

**THE PRESIDING OFFICER (Mr. SCHOEPPFEL in the chair)** laid before the Senate the amendment of the House of Representatives to the bill (S. 714) to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes, which was to strike out all after the enacting clause and insert:

That this act may be cited as the "Public Buildings Act of 1949."

#### TITLE I—COMPREHENSIVE PLANNING OF FEDERAL PUBLIC BUILDINGS OUTSIDE OF THE DISTRICT OF COLUMBIA

**SEC. 101.** The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, lands or interests in lands as sites or additions to sites for Federal public building projects previously authorized and for such new projects as may be selected in the manner designated in this section, to make investigations and studies and to prepare plans, sketches, working drawings, and specifications for such projects. Whenever the Federal Works Administrator shall determine such action to be necessary, such investigations, studies, preparation of plans, sketches, working drawings, and specifications, may be undertaken prior to the approval of title to the sites by the Attorney General. When buildings to be used in whole or in part for post-office purposes are involved, the Federal Works Administrator, shall act jointly with the Postmaster General in the selection of towns or cities in which buildings are to be constructed, and in the choice of sites therein for such projects. The Federal Works Administrator and the Postmaster General shall submit to the Congress a comprehensive report of all eligible projects and their limits of cost when in excess of \$200,000, without regard to the time in which they may be undertaken, which report shall be printed as a public document. When the estimated cost of a project does not exceed \$200,000 the limit of cost shall be determined by the Commissioner of Public Buildings. Selection of projects for the purposes of this title shall be made by the Federal Works Administrator and the Postmaster General from such report and they may also select such other projects not included in such report which in their judgment are economically sound and advantageous to the public service: *Provided*, That in making such selections they shall distribute the selected projects equitably throughout the country with due regard to the comparative urgency of projects in various sections of the country.

**SEC. 102.** It is the intent of the Congress that the equitable distribution of selected projects required by section 101 of this title shall provide for the participation by each congressional district in the benefits that will accrue from the future construction of one or more of such selected projects. It is the further intent of the Congress that those congressional districts in which are located projects previously authorized and selected for construction (including those for which sites have been acquired), but which have been deferred, shall be entitled to such projects.

addition to the projects authorized and selected under this title.

**SEC. 103.** For carrying out the purposes of this title, including administrative, supervisory, traveling, and other expenses in connection therewith, there is hereby authorized to be appropriated the sum of \$40,000,000 to remain available until expended.

#### TITLE II—ACQUISITION OF SITES AND TRANSFER OF JURISDICTION OVER SITES BY VARIOUS AGENCIES AND DEPARTMENTS OF THE GOVERNMENT

**SEC. 201.** The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, land situate in the northwest section of the District of Columbia designated as squares 11, 19, 20, and 32, said land to be used wholly or in part together with other Government-owned land adjacent or in close proximity thereto as the site or sites for a departmental building or buildings project authorized to be constructed thereon.

**SEC. 202.** In order to provide a more suitable site for the new San Diego, Point Loma, Calif., Quarantine Station, the Secretary of the Navy is hereby authorized and directed to transfer to the control and jurisdiction of the Federal Works Agency, without reimbursement, a parcel of land in the city of San Diego, county of San Diego, State of California, described as follows:

Commencing at an old stone monument marked "U. S. M. R.", on the northerly boundary line of the naval fuel annex, said point being the true point of beginning; thence from said true point of beginning north eighty-nine degrees thirty-one minutes thirty-five seconds east one hundred and eleven and six one-hundredths feet, more or less, to a point on the mean high-tide line of San Diego Bay; thence south five degrees twenty-two minutes fifty seconds west along the mean high-tide line three hundred and ten and eleven one-hundredths feet; thence south one degree fifteen minutes forty-five seconds west along the mean high-tide line one hundred and three and fifty one-hundredths feet; thence leaving said mean high-tide line south eighty-nine degrees thirty-one minutes thirty-five seconds west five hundred and eighty-seven and nine one-hundredths feet; thence north one degree thirty-eight minutes twenty-five seconds west two hundred and one and forty-three one-hundredths feet; thence north twelve degrees twenty-four minutes forty-five seconds east two hundred and sixteen and nine one-hundredths feet to a point on the northerly boundary line of the naval fuel annex; thence along said northerly line of the naval fuel annex north eighty-nine degrees thirty-one minutes thirty-five seconds east four hundred and sixty-six and seventy-four one-hundredths feet to the true point of beginning, containing five and six-tenths acres, more or less;

And the Federal Works Administrator is hereby authorized and directed to transfer to the control and jurisdiction of the Department of the Navy, without reimbursement, all the land comprising the present quarantine station site lying and being in the city of San Diego, county of San Diego, State of California, bounded on the south by First Street, on the west by San Antonio Avenue, on the north by Colorado Street, and on the east by San Diego Bay.

**SEC. 203.** The Federal Works Administrator is hereby authorized and directed to transfer to the jurisdiction and control of the Department of the Army, without reimbursement, for use for military purposes, all the land comprising the present quarantine station situated on Quarantine and Sand Islands, Honolulu, Oahu, Territory of Hawaii, described as follows:

Beginning at the southwest corner of tract C transferred to the Commerce Department

1949

## CONGRESSIONAL RECORD—SENATE

6947

tion's most precious heritage—our continuing faith in our dependence upon Almighty God and His guidance in the affairs of men and nations."

#### COMMENDATION OF PHILIP MURRAY AND THE CIO FOR OUSTING COMMUNISTS

Mr. MARTIN. Mr. President, I rise to express commendation and my personnel appreciation of the sound action taken by Philip Murray and the executive committee of the CIO in recent days. I refer to the forthright drive to rid that great labor organization of the Communist taint in the leadership of some of its unions.

The CIO has never been on my side. In fact, it has been one of the most active of my political opponents.

For my part, I have found fault with the CIO many times. For years I have demanded that it purge itself of the Communist-card carriers and the fellow travelers who have had such great influence in its activities. And for years, because of this demand, some members of the CIO have called me a wide variety of names—none of them pleasant.

I have also criticized the rule-or-ruin tactics of the CIO, its insistence that public officials take care of it first, ahead of the welfare of the public as a whole. I shall always object to such tactics, whether they come from labor, industry, politics, or from any other source, including the Federal bureaucrats.

But when Philip Murray and his CIO do a fine and courageous thing, even though belatedly, I feel that they should be commended and congratulated.

I hesitated for several days to make this statement on the floor of the Senate. I believed it should and would come from the CIO's friends in the Senate, those who have backed its activities, and who in turn have been the beneficiaries of PAC votes.

But, oddly enough, none of them has come forward on this floor to laud that organization for its increasingly successful fight to get rid of the foul fumes of communism which pervade some sections of the CIO.

Since I believe that public recognition is due Mr. Murray and the CIO, I have decided that I should call attention to their action, rather than let it go unnoted on the floor of the United States Senate.

I want to remind the Senate that Philip Murray, national president of the CIO and of its steelworkers, is a Pennsylvanian. He is a former coal miner of my State; in fact, he worked in the coal mines of Washington County, my own home county. He rose to his present eminence by hard work and full use of his intelligence. He is and always has been strongly anti-Communist.

What is new and important is that finally he has been able to rally enough other leaders of his organization to make the drive which is presently succeeding.

Mr. President, I commend to the United States Senate the action of the CIO board, which met here in Washington the other day and made clear that it will no longer tolerate Communists and Communist sympathizers in high places in that labor organization.

It is appropriate also at this time to suggest similar action by those bureaucrats who, willfully or otherwise, have closed their eyes to the dangers of communism in this country. I recommend that they face this situation with vigor and courage, and take such steps as are necessary to drive out every Communist who holds a place in our Government.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

The Senate resumed the consideration of the bill (H. R. 2863) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

Mr. TYDINGS. Mr. President, I should like to make a brief explanation of the pending bill. It is similar to one which was passed unanimously by the Senate at the last session. The bill presently before us is a House bill which passed the House of Representatives, as I recall, by a large favorable vote; I think there were only about four votes in opposition to it. It is called the Central Intelligence Agency bill.

Although this measure may be looked upon by some persons as of little importance, in my opinion, for whatever it may be worth, it is one of the most important pieces of legislation which we shall consider in this Congress. I say that for the reason that it is important that our military authorities be completely advised in regard to what is taking place in the world, that they may constantly make an estimation of the probable dangers which eventually may confront our country, and of how they may deal with them.

The bill relates entirely to matters external to the United States; it has nothing to do with internal America. It relates to the gathering of facts and information beyond the borders of the United States. It has no application to the domestic scene in any manner, shape, or form.

The work to which the bill relates is dangerous work. In many localities where representatives of our Government may go in quest of information, if they are detected they are likely to pay for their adventuresome spirit with their very lives. I should say it is not improbable—and I am measuring my words—that many men working for our government already have paid the supreme sacrifice in attempting to gather information of a nature vital to our country. Particularly when our soldiers are stationed abroad in such goodly numbers in many countries, and where there are at times the possibilities of conflict, it is important that a variety of useful information be assembled, in case of need—not that we are going to use it to make war, but so that we may use it in the event war is made upon us, so as to save the lives of citizens of our country and even the lives of civilians who are not citizens of our country, but who might be in the path of a conflict in which our own troops might eventually be engaged.

This bill has the approval of the State Department and of the Department of

military department of the Government. The bill has been referred to the chairman of the Judiciary Committee of this body, the Senator from Nevada [Mr. McCARRAN] who is in charge of certain phases of activity in our domestic scene upon which this measure might impinge slightly; to wit, the admission to this country of an immigrant who would give us valuable information. The Senator from Nevada has read the bill and has given his written approval of it.

I am available now to answer questions, insofar as I can, by Senators who are not members of the committee, who perhaps would like to have some information which I have not covered in this brief summary. I have no desire to take up the time of the Senate in an extensive analysis of the bill, but I think I have indicated enough to show what its general purport is and how important it might be in conceivable circumstances to the safety and the lives of people in and out of uniform in our own country.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Virginia.

Mr. ROBERTSON. I should like to ask the distinguished Senator from Maryland whether the program is to supplant the present counterintelligence work of the Army or is to complement it?

Mr. TYDINGS. I may say the bill changes nothing that is not now in existence insofar as foreign intelligence is concerned. It is already provided in the Unification Act that there shall be a central intelligence agency charged with these duties, but unfortunately the provision is couched in a generality, and this bill is to give the agency, inasmuch as we have it anyway, the mechanics so it can be more effective than it could otherwise be.

Mr. ROBERTSON. I may say to my distinguished colleague that I am in full sympathy with the purpose of the bill and shall gladly support it.

Mr. TYDINGS. I say in conclusion, we must always know the size of the armies of other countries, we must know what their air potential is, what inventions they are pursuing, what the people in a possible enemy country are likely to think or are likely to do, or how they are likely to react to a given circumstance. We cannot merely take the word always of the governmental authorities who are for the moment in charge of those countries. We have to know the real truth, and it is in order to do this that we have such an agency as this, that the logistics that flow from this information may be always available in the time of emergency.

Mr. CAIN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Washington?

Mr. TYDINGS. I yield.

Mr. CAIN. May we safely conclude that in the days prior to World War II America did not benefit from what the Senator and his associates have endeavored to work out and are now present-

6948

## CONGRESSIONAL RECORD—SENATE

MAY 27

Mr. TYDINGS. I should say that prior to our entry into World War II we were babes in the woods to a large extent in this field. If we had had then what we have now it is possible there might have been a different result at Pearl Harbor. The information was there, and we should have had men operating within the group who were adverse and hostile to the United States, working with them, so they could have told us what were the intentions of those people who were under our flag, ostensible citizens, but who were plotting, in Hailson perhaps with possible enemies, to destroy the United States of America. I thank the Senator for his interruption.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. As one who followed the bill very closely last year and was in charge of it, there is but one thought on which I think the Senator might enlarge somewhat. This intelligence agency does no work at all within the continental United States, except to assimilate information it receives elsewhere. Is not that correct?

Mr. TYDINGS. The Senator is completely correct. There is not a single agent of this intelligence agency working within the United States in any form of espionage, directly or indirectly. It is purely and completely wholly and singly in the external foreign field. It has no connection with the FBI, it is not under the FBI, it does the same kind of work as the FBI. Its sole effort is outside the United States.

Mr. SALTONSTALL. Am I correct in saying that it does not interfere with the FBI in any way, shape, or manner?

Mr. TYDINGS. That is correct. It does not interfere with it in the slightest degree. Are there any other questions? If not, I do not desire to hold the floor, but I hope the debate will not be too greatly extended, that we may draw the issue, whatever it is, and have the Senate on record, and I hope, with overwhelming support.

The VICE PRESIDENT. The bill is open to amendment.

Mr. LANGER and Mr. NEELY addressed the Chair.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. LANGER. I yield to the Senator from West Virginia.

Mr. NEELY. I thank the Senator, but I want the floor in my own time.

Mr. LANGER. Mr. President, I have listened with considerable interest to the Senator from Maryland. I agree with him that in general the purposes of the bill are fine. I agree with him that it is one of the most important bills ever to come upon the Senate floor. But I totally disagree with him as to two aspects of the bill. With respect to those aspects of the bill, I propose to offer amendments in the hope that we may be able to make the bill what it ought to be.

First of all, I call attention of the entire Senate to the report of the House committee, which, at page 6 thereof, says:

of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

So, Mr. President, we have a situation in America wherein the House of Representatives passed a bill without having full and detailed information of the provisions of the bill, without, as a matter of fact, knowing exactly what the purpose of the bill was, and so far as I know—

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I decline to yield at this time. A little bit later, I shall be glad to yield to the Senator. I say that so far as I know, it is the first time in the history either of the House or of the Senate that any report contained the statement:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of highly confidential nature.

Mr. President, I ask every Senator, if he will, to compare the House report with the Senate report. It will be found that they are almost identical, with the exception of the three or four lines which I have just quoted. In other words, in the House there were a few Representatives who objected to the bill. By reading the proceedings of the House yesterday it became apparent that those Representatives resented the fact that they were asked to vote for a bill which had not been reported to them in its entirety, a bill as to which there was some secret, confidential information they had not obtained. The result was that when the Senate Committee on Armed Services submitted its report those four lines were eliminated.

What did Representative Cullen, chairman of the House Committee on the Judiciary, say about the bill? I read from the debate in the House, on March 7, at page 1635, Mr. Cullen's statement:

Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the bill? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on Armed Services. The Committee on Armed Services has nothing to do with immigration.

I may say, Mr. President, that I have here a copy of the La Follette-Monroney Act. That legislation was passed 2 years ago in order to give to each committee jurisdiction of certain specific matters. On page 17 of the La Follette-Monroney

diction of immigration and naturalization. The distinguished Senator from Maryland knew that, so he talked to the chairman of the Committee on the Judiciary. The distinguished Senator from Maryland is one of the ablest Senators upon the floor. He made a long and extended argument in favor of the La Follette-Monroney bill. He knew that the chairman of the Armed Services Committee had no authority to write any law affecting immigration and had no authority to pass upon such a matter. It was a matter which was entirely and solely, first of all, within the jurisdiction of the Subcommittee on Immigration and Naturalization of the Judiciary Committee. Up to the present time the bill has not been referred to the Judiciary Committee.

I want to make it clear how differently committees function. In the Eighty-sixth Congress the Committee on Post Office and Civil Service unanimously reported a simple bill providing for reduced postage rates to Germany, Austria, Italy, and some other European countries. When we got through with it it was decided that the bill should go to the Committee on Foreign Relations. That committee, in turn, had to pass upon the proposition as to whether there was anything in the matter of lowering postage rates to any of the foreign nations which would be detrimental to our foreign relations.

We have in the pending bill a new section, one which, according to my recollection, was not in the bill of last year. It is exclusively, fully, and completely within the jurisdiction of the Immigration and Naturalization Committee of the Judiciary Committee, and at no time was it ever referred to that committee.

Representative Cullen, in his speech as follows:

Now this provision I have read out of the window, at the discretion of the Attorney General mentioned in this bill and the Attorney General, all the legislative restrictions that we have built up over the years.

Representative Cullen was absolutely correct. He said, further:

It throws them to the winds, and if the Attorney General and the Director wish to admit Fascists, Communists, Hitler hater, morons, moral perverts, saboteurs, liars, they can do it. I think the House ought to know what it is legislating about, and I think, in a measure, this indicates that the cold war is unbinding the nerves of some of our high military authorities. The secret, especially the brand we are treated to, is ridiculous. Secondly, these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whether we are going. The military is not infallible. Witness the situation of the charges leveled by the military intelligence against one Agnes Smiley recently, that she was a Communist, or a Russian spy, and instead of retracting when they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision which should be stricken from the bill or, if it is not stricken, certain safeguards should have been added.

1949

## CONGRESSIONAL RECORD—SENATE

6919

When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

Mr. President, I wish to invite attention to section 8 of the bill. I may add that I shall offer an amendment to strike out section 8. That section reads as follows:

SEC. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any 1 fiscal year.

What is the situation, Mr. President? Two men, the Attorney General and the Director, can set aside the entire immigration laws of the United States. Already there are five or six million aliens in this country. Already the Attorney General and the Director of Immigration have advised our committee that they cannot find them all in order to get rid of them. We have had a lot of kings, queens, princes, counts, and what not, chasing over to Europe and of the existence of governments in exile there. Already some have chased over to the United States. King Peter of Yugoslavia was riding in Connecticut, going at the rate of 70 or 80 miles an hour, when he was arrested for speeding and endangering the lives of persons along the highway. He claimed immunity. He said, "I cannot be arrested." The police of the State of Connecticut released him. A few nights later he was in a place in New York called the Stork Club. I discussed this incident with my distinguished friend from Maryland. He said he was thoroughly familiar with the Stork Club. It so happens that I am not familiar with it. I do not know how large a place it is, but it seems they have certain favorite tables in that club. At any event, when the ex-King of Yugoslavia dropped in, he was not given the best table. He was given what he thought was a second-best table. So he started a rumpus, and, as I remember, the police were sent for and the manager of the Stork Club stood firm and said he would not take the table away from the people who occupied it and give it to the so-called King of Yugoslavia.

There is nothing to prevent all the ex-crown princes and persons of so-called blue blood or royal blood, with whose names I am not familiar, but whom my distinguished friend from Maryland knows by heart—he knows some of them by their first names, I found in discussing the matter with him—there is nothing to prevent their coming in at any time. They do not have to enter as other individuals do. All they have to do is to get the Attorney General and the Director to say, "Come on in." They do not

passed in order to protect citizens of the United States.

When this bill was before the House, another Representative had much to say about it. Before I take that up, I repeat what I have already said, I intend to offer an amendment to eliminate section 8. If the proponents of the bill want section 8, if they want to have the power to let a hundred people come into the United States, and if they are people who for national security reasons should come in, I have not any objection to having a separate bill introduced and presented to the proper committee, and with proper safeguards we can see that people who will help the United States can get into our country in 24 hours, as the report made by the Committee on Armed Services says they want the law to be.

Why stick in this section 8? It is stuck into a bill where it has absolutely no right to be. It is stuck into a bill which deals with contracts, into a bill which provides that the Director of the Central Intelligence Agency may make contracts involving up to \$1,000, that he can buy things in an emergency, and all that sort of thing. Then out of a clear sky they stick in section 8, providing that 100 people may be admitted without regard to the immigration laws of our country.

Mr. President, both the distinguished Senator from Massachusetts and the distinguished Senator from Maryland a few moments ago stated that this bill had nothing to do with the internal affairs of this country at all, that it dealt only with territory outside the continental United States. Let me read subdivision (B) on page 7:

While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the agency or elsewhere, but the time of such work or duties shall not be counted as leave.

The Senator from Maryland says that what is provided for in the bill is being done now, that the Navy and the Army and other branches of our Government have thousands of these people. I have not the least objection to taking all of them and putting them under the Central Intelligence. I have not any objection at all to that being done, and the cost to our taxpayers being reduced, provided the people do their work outside this country, just as was alleged a few moments ago by the distinguished Senator from Maryland is being done.

Mr. TYDINGS. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield to the Senator from Maryland.

Mr. TYDINGS. I share the Senator's concern, and I am glad he wants to be reassured in reference to this matter. But let me correct the Senator. I never said that the Army and the Navy had thousands of men engaged in this service. So far as I know, the Army and Navy have no one engaged in it.

To come down to the point the Senator raises as to paragraph (B) on page 7, that will apply only when the agents are brought back for reorientation, to be told what their new tasks shall be.

called to Washington and assigned to a new task, given training in the new task, and then sent out. They do no work in the United States, but they do have to come back to be indoctrinated into all the difficulties which will confront them when they take up a new task. That is the only purpose.

I know the Senator may not agree with me, but he knows I would not deceive him in any sense of the word as to this bill or any other matter, and I can assure him, after thorough investigation, that none of these agents will work at all in the United States. The only time they will do anything here is when they come, either on leave to visit their families, or come back, if they are changing their stations, to be reindoctrinated.

Mr. LANGER. The Senator said that the Army and the Navy had none of these people here, yet he told us not half an hour ago that all the work that is contemplated by the bill is being performed here now by agencies. What are these agencies?

Mr. TYDINGS. It is being performed by the Central Intelligence Agency, which is a branch of the National Security Council. It works under the National Security Council. It advises the President.

Mr. LANGER. The Senator knows that we have a Naval Intelligence, and he knows we have a Military Intelligence.

Mr. TYDINGS. If the Senator will permit me to complete my answer, he has gotten the two things confused, understandably. Army Intelligence deals primarily with logistics. We know how large a certain army is, we know how large a certain navy is, we know how many airplanes another country has, we know how many trucks he has. Naval Intelligence deals primarily with navies, or the logistics of moving or dealing with armaments in the hands of a possible enemy. The organization we are here concerned with is primarily established to find out what the intention of a possible enemy is, what he is doing, what he is concealing, his movements, what the people in the foreign country think and assorted information of tremendous value on a military plane.

There are none of these agents who work in the United States. I hope the Senator will take my word for that. We went into that subject very thoroughly in the committee, and all this work is completely outside the United States, except for the indoctrination which must take place whenever an agent is sent into a new field.

Let us suppose an agent is being sent to Country X. He has to be told what he is to do in Country X, he has to be told what the customs are in Country X, he has to be furnished with a variety of information so that he can work there unobserved and obtain information, and, to tell the truth, so that he will not be killed, as in some cases men have been killed. The reason why there must be secrecy is that we do not want men to lose their lives, and I regret to tell the Senator from North Dakota that some men have already lost their lives.



6950

## CONGRESSIONAL RECORD—SENATE

MAY 27

regretfully, and we want to make provision so that others will not lose their lives.

When men undertake this character of work, they take it on the understanding that they may not come back, because in some cases when they are caught they are put to death. We might as well say that on the floor of the Senate. We are dealing with the lives of men who are in this service, and for that reason there has to be a great deal of secrecy thrown around the work.

Mr. LANGER. Mr. President, I repeat what I said at the beginning of my argument, that I agree fully, completely, entirely, absolutely, and wholly with the desire to protect the lives of these people working for our Government. I believe in national security.

Let me read what Mr. SASSER said about the purposes of the bill in the House of Representatives. I read from his statement:

Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947.

Now I wish to ask the Senator from Maryland a question.

Mr. TYDINGS. Will the Senator allow me to make an observation before he asks the question?

Mr. LANGER. Certainly.

Mr. TYDINGS. I should like to tell the Senator that the Senator from Maryland was fortunate enough to have a boyhood friend who had charge of some of the most difficult and important work undertaken in this line of activity during the war, and I have perhaps heard more of the ramifications of this service than any other man in Congress, because I had the good fortune to sit at the feet of this particular individual, and I have heard him tell many things that happened, and the difficulties encountered. So I have a little more concern than I would have, had it not been for this personal experience. It is only out of abundant caution, knowing how a little thing disclosed may put an agent in a very difficult place, that the Senator from Maryland has striven to be cautious in what he has said.

Let me say a further word. Suppose a man is a citizen of country A. Suppose he comes to our representative and says, "I am a citizen of country A, but country A does not like your country. I do like your country. I should like to work for your country." Suppose that man is working in some official capacity in country A, and we employ him, and get information we may desire. If that man were to be detected he must know in advance that he can come to the United States, that he can escape, and secure asylum here. Otherwise, on his return, he will be confronted with the general laws of the country. Suppose he is a

dangerous work we will have to give them the assurance that we will stand behind them in the event they are threatened with the loss of their lives if they are detected while working for our country.

Mr. LANGER. Mr. President, I agree with every single word the Senator from Maryland has said. I repeat, however, that I agree also with the distinguished chairman of the House Committee on the Judiciary, Representative CALLER, when he said, on the question of immigration:

On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision, which should be stricken from the bill, or, if it is not stricken, certain safeguards should have been added.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Let me say to the Senator from North Dakota that no one can come into this country under the bill except with the approval of the Attorney General, who already has supervision over the immigration laws, and of the Secretary of Defense. A person cannot wait to secure a visa when his life is threatened. A man who undertakes this dangerous work wants to know that he can come into the United States on 2 minutes' notice; that he will be identified and given asylum here. He will not undertake such work unless he knows that, if he is detected and wants to flee for his life, there is an open door into this country for which he is risking his life to serve, and that he will not have to go through the red tape of securing a visa. Let me tell the Senator that every government on earth makes provision of this sort for men who work in the secret service.

Mr. LANGER. Mr. President, again I assure and reassure and re-assure the distinguished Senator from Maryland that he and I are in complete agreement on the matter of allowing entry to whatever number of persons may be necessary; but, nevertheless, I agree with the distinguished chairman of the House Committee on the Judiciary when he says:

This particular provision . . . should be stricken from the bill, or, if it is not stricken, certain safeguards should have been added.

Section 8 does not protect the people of the United States from having a group of Communists or Fascists, or whatever they may be, come into this country. Section 8, which in a proviso permits the entry of 100 persons a year, provides:

Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility.

diction over these persons after they get into our country. When they come here they are on an absolute par with the distinguished Senator from Maryland. They can go wherever they want to go, they can do what they want to do. There is no provision that they must make reports. There is no provision for following them up. That is why I say that, agreeing as I do with the distinguished Senator from Maryland, I believe we should place some safeguards in section 8, or else keep such aliens out of the country.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. In the first place, I believe the Senator has covered a great deal more territory than the facts in the bill warrant. For example King Peter, and all the princes and dukes and other royalty who visited the United States during the war came in under State Department visas, and they have nothing more to do with this bill than I have to do with the Chinese Communist Government at this moment. They all came to the United States when there was no Central Intelligence Agency in existence. They all came here under State Department visas. We are not in this bill dealing with any such attention. Anything of that nature is as far from this debate as Siam is from North Dakota.

Let us get down to the meat in the coconut. What greater safeguard would the Senator want than to require that the Director of the Central Intelligence Agency, who is charged with the security of the country so far as intelligence is concerned, and is certainly not going to permit anyone to come into the United States who might endanger the security of the Government, and the Attorney General of the United States, who is charged with enforcing the law, shall make the determination? Would the Senator from North Dakota feel more assured if we put the President in it, too?

Mr. LANGER. I might say to my distinguished friend from Maryland that if we had another Attorney General like Harry Daugherty, I would not want him to pass on anything, even a dog, coming into this country. We have had one Attorney General of that kind.

Mr. TYDINGS. We have had Senators and Representatives and even Presidents who have not been all we would hope they should be.

Mr. LANGER. We have immigration laws to take care of the admission of aliens. Under our immigration laws safeguards can be placed around the entry of these 100 people. I want the immigration laws of the country enforced, or, if necessary, so changed as to provide safeguards when these hundred individuals the Senator wants excepted, are admitted into the country.

Mr. TYDINGS. How would the Senator do that?

Mr. LANGER. I would have the section submitted to the Committee on the Judiciary and to the Immigration and Naturalization Service.

Mr. TYDINGS. How would he get

1949

## CONGRESSIONAL RECORD—SENATE

631

safeguards he desires around them and around us?

Mr. LANGER. I would do exactly as the chairman of the House Committee on the Judiciary, Representative CELLER, said we should do. He suggested the way safeguards should be placed around us.

Mr. TYDINGS. What are they?

Mr. LANGER. I would call in the Director of Immigration and Naturalization and ask him what is necessary to be done in order to carry out the committee's recommendations. The Armed Services Committee did not do that. There are no safeguards contained in the bill at present.

Mr. TYDINGS. Oh, yes; the Attorney General and the man who is charged with securing the information to safeguard the United States of America certainly are not going to let come into the country someone who wants to do harm to the United States of America. The trouble is that Mr. CELLER is looking upon this sort of activity practiced by all governments as if it were a regular, open, above-board, orthodox, give-and-take procedure. This is one of the things which ought not to be practiced by any government, but which every government has to practice in self-defense. It is somewhat like war. No country ought to make war. A war is the most outrageous crime human beings have ever put their hands to. But so long as people are threatening to make war on us we have to be ready to protect ourselves. That is the philosophy of the bill. The lives of our men overseas in many cases depend on this bill having enough elasticity to it so it can serve the purposes of the security of the country without any undue delay. It may be the Senator's son or my son or someone else's son who is dependent upon the information which the Central Intelligence Agency will assemble for the protection of our troops.

Mr. LANGER. Mr. President, we are not at war at the present time. Representative CELLER yields to no man in patriotism. I have known "MANNY" CELLER for over 30 years. For 24 years he has been a Member of the House. For 24 years he has been a member of the Committee on the Judiciary of the House. When "MANNY" CELLER says there ought to be safeguards placed in the law before 100 aliens are permitted to come into the country, I take the word of Representative CELLER, the chairman of the House Committee on the Judiciary. He is an outstanding patriot. He is an honest gentleman, with a world of experience.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. I should like to say that I have served with Mr. CELLER in the House of Representatives. I became a Member of the House of Representatives and Mr. CELLER became a Member of the House of Representatives in 1922. My relations with him and affection for him and respect for him are of the very highest order. What I say is said with no reflection on him. But when the bill passed the House, the

vote was 348 in favor of the bill and only 4 against the bill. Let me say to the Senator that if this had been an immigration matter per se Mr. CELLER would have secured 348 votes in support of his position, and only 4 votes would have been against his position. This is not an immigration matter. It has nothing to do with immigration per se. This is asylum for military agents who are working for the United States, and who are faced with death if they are caught. We simply tell them in advance that if the Director who employs them, and the Attorney General, who is detached from the Director, approves it, if they are detected and their lives are in danger they may come into the United States. After that, they are just the same as anyone else. They have no immunities or privileges.

Mr. LANGER. Mr. President, the argument that this bill has nothing to do with immigration is the sheerest nonsense. Again I quote Mr. CELLER. At the end of his talk he said:

I have spoken briefly to advise the Armed Services Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

That is the statement of a man who has been a Member of the House for 24 years.

Mr. President, I invite attention to page 7 of the bill, subparagraph (B), which reads as follows:

While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

The services of such officer or employee are not to be used in this country. This bill deals with activities outside continental United States.

Mr. TYDINGS. That is correct.

Mr. LANGER. If that be true, would the distinguished Senator be willing to accept an amendment in line 4 on page 7, after the word "shall" to insert the word "not" and strike out lines 6 and 7?

Mr. TYDINGS. Will the Senator read the language as it would then be?

Mr. LANGER. It would read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

Mr. TYDINGS. I would accept that amendment with one qualification, and that is that they can receive training here. If the Senator will exclude training, if his language is broad enough so that training and indoctrination are not included as work, I shall be delighted to accept the amendment. I do not want to tie up the situation so that when they get to the United States they cannot receive any training or indoctrination. They are working then, but they are not working on espionage in the United States.

Mr. LANGER. Again I agree with the Senator from Maryland 100 percent.

Mr. TYDINGS. Let us adopt language which will accomplish that purpose.

Mr. LANGER. I have the amendment prepared.

the United States or receive pay while they are here for indoctrination and training, his language is most unfortunate. I am with the Senator in theory, but his language goes further than his theory.

Mr. LANGER. I am taking the language in the bill. With my amendment, the language would read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

Mr. TYDINGS. Let me show the Senator, in good faith, what he would do by his amendment.

Mr. LANGER. I am not through.

Mr. TYDINGS. If the Senator will lay aside his pride of authorship for a moment, and listen to me—

Mr. LANGER. I am delighted to listen to the distinguished Senator as long as he wishes to talk.

Mr. TYDINGS. I do not wish to take long. However, the language would read as follows:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties in the agency or elsewhere.

He could not even go to the central agency and work there. Does the Senator want to say that?

Mr. LANGER. I would not object to his working in the agency, but I do not want him to work elsewhere.

Mr. TYDINGS. I ask the Senator to read his own amendment, and see if it does not exclude work in the agency.

Mr. LANGER. The distinguished Senator just said—

Mr. TYDINGS. I cannot accept an amendment of that kind.

Mr. LANGER. Suppose the distinguished Senator drafts the amendment.

Mr. TYDINGS. I think the language is all right as it is. I am not complaining.

Mr. LANGER. The Senator said he would accept the word "not."

Mr. TYDINGS. I said that I would accept the word "not" assuming that it allowed the man to work in the agency, and allowed him to be trained in the United States.

Mr. LANGER. We can meet that difficulty very simply by adding the word "except."

Mr. TYDINGS. Will the Senator read the language as it would be with the word "except"?

Mr. LANGER. It would then read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency, and for training.

Mr. TYDINGS. How about orientation schools?

Mr. LANGER. Let us put that in.

Mr. TYDINGS. If the Senator will complete his amendment, I am willing to accept an amendment which is concise and clear, and which does not include the orthodox work of these agents within the continental United States. In my opinion, that is what the present language does.

6952

## CONGRESSIONAL RECORD—SENATE

MAY 27

in the House the claim was made that when these men come back they will be used to break up labor unions. I do not believe it.

Mr. TYDINGS. Let me tell the Senator how that foolish idea originated. Let us assume that a laboring man is a part of this organization, and that we want to send him over to Germany, for example. Let us assume that he speaks German. He may never have had any affiliation with a labor union. He is going to associate with men both in and out of labor unions. Obviously he would have to be sent where labor unions meet and discuss questions, and where they act, so that he could get the feel of the situation, and so that he would not be like a sore thumb sticking out when he reached a foreign country. He would need to know the techniques, the lingo, the habits, and so forth, of those who are labor-union men, in order that he might be an efficient, undisclosed officer gathering information, without any idea on the part of those who would give it, that the information was being imparted to our Government.

Mr. LANGER. I fully agree with what the distinguished Senator says.

Mr. TYDINGS. I do not believe that the Senator can improve very much on the bill. The very questions which he has brought up have been thoroughly canvassed and considered by the committee. The exact language which we have accepted has been adopted as safeguarding our internal affairs while giving the widest scope to the agents in the external field.

Mr. LANGER. The Senator may be correct—

Mr. TYDINGS. We have been all over this question in great detail. Witnesses have been interrogated at great length. The hearings have been extensive. We have considered every phase of the problem. The Senator has not heard the testimony. Neither has Mr. CALLER. He did not attend one of the hearings—and properly so, because he was not supposed to attend them.

Mr. LANGER. The Senator's argument sounds very strange to me, after the experiences which I have had on committees. For example, take the pay bill. After more than a month of hearings last year, although the distinguished Senator from Maryland and some of his colleagues were not present at the hearings, they offered amendment after amendment. What is there sacred about this bill, that it cannot be amended? It is the same as any other bill. I think I have a good amendment.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Let me say to my friend from North Dakota that there is a great deal of difference between amending a pay bill and dealing with an extremely sensitive and secretive function of Government which has to do with the lives of men, not in wartime, but in peacetime. When we find that a man who has undertaken this work has not returned, but has been destroyed, we are not just anxious to get the bill passed.

man who comes along to carry on the task from that point.

I have already said much more in this debate than should be disclosed. I think this debate is unfortunate. I think it ought to be in executive session. I think there is a great deal of meat in what must be said here in order to get the bill through, which is serving those who are not friends of the United States. This is one time when there ought to be secrecy. The whole atmosphere of the bill is secrecy. I regret that in answer to the Senator's questions I have been forced to disclose as much as I have disclosed. We are not serving the United States or the brave men who are going forth under all kinds of difficulties to help to place the security of our Nation beyond peradventure.

Mr. LANGER. Mr. President, I yield to no man, including the distinguished Senator from Maryland, in patriotism. However, I will never stand on this floor with a report and say, "We are not reporting everything to this body which should be reported. We are keeping some of it back." The time has not yet come, during a period when we are not at war, when we cannot discuss any bill upon the floor of the Senate. So long as I am a Member of this body, whenever any proposal for appropriations is brought before us, or a bill to draft the boys from the farms, or any other kind of bill, I will not stand idly by and say, "We cannot discuss it."

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TYDINGS. Does the Senator think we ought to tell how many men we have in this service?

Mr. LANGER. I did not ask the Senator any such question.

Mr. TYDINGS. Does the Senator think we ought to tell their names and ages?

Mr. LANGER. The Senator knows very well that I did not ask such a question.

Mr. TYDINGS. It might be pertinent information.

Mr. LANGER. It might be, but I have not asked such foolish questions.

When it comes to creating an agency, I see no harm in seeing to it that the wording of the bill is right. I for one am not going to take any chances without a protest, even though I vote alone, against the establishment of a Gestapo in the United States by which people may be hounded and harassed by a central bureau, or by anyone else.

I know the fine mind of the Senator from Maryland, and I know what a big heart he has. I know how patriotic he is. He is one of the few Members of this body who has received the highest medal that it is possible for a man in the United States to get.

Mr. TYDINGS. Mr. President, will the Senator yield?

THE PRESIDING OFFICER (Mr. KEFAUVER in the chair.) Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. LANGER. I yield.

kota—and I hope he will forgive me if I appear a bit vain in what I am about to say—that military and scientific developments have reached such wide ramifications today that it is not always possible to give to the Senate the detailed information in regard to many things which we would be delighted to give to the Senate or to have Senators who are not on the committee know if they could come to the hearings where we hear those things.

My reactions were exactly the same as those of the Senator from North Dakota when I first approached this bill. But if my judgment is worth anything—and in making this statement I am carefully measuring my words—I wish Senators to know that in my opinion this bill is carefully worked out. Every safeguard which could possibly be put into it without destroying its purpose has been put into it. Our committee is unanimous about the bill, not because we are in favor of espionage, for we are opposed to it, but because we hope it will not occur.

So I hope the Senator from North Dakota will not suggest the amendments he has indicated, because in my judgment they would do the bill more harm than any good whatsoever which they could possibly do.

Mr. LANGER. If we leave paragraph (B) the way it is, it would do the country a great deal of harm. It now reads:

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the agency or elsewhere—

And so forth. Mr. President, my distinguished friend, the Senator from Maryland, has not had the experience I have had with being hounded by Mr. Ickes' men, when he was Secretary of the Interior—when, as Governor of the State of North Dakota, I had men following me all over the United States, and my telephone in the Governor's office was tapped, and my desk in the Governor's office was broken into by men whom Harold Ickes had snooping around trying to "pin" something on me—and when similar things happened to the Republican Lieutenant governor of Iowa, for such attempts were likewise made to "pin" something on him.

So I say to the Senator from Maryland that, in my judgment, the bill as now written would enable this agency to send its men inside the United States, into places inside the United States, for nothing in the bill would prohibit that. The only way that could be prohibited would be by inserting the word "not" in the bill at the point I have indicated.

Frankly, Mr. President, I cannot see any objection to such a change in the bill. If we make that change, paragraph (B), on page 7, then will read:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or reorientation for work; and the time of such work or duty shall not be counted as leave.

It seems to me that is an amendment

1949

## CONGRESSIONAL RECORD—SENATE

133

conscience, accept; and I believe it would entirely do away with the charges which were made in the House of Representatives—that these men might possibly be used to break up labor unions or for some similar purpose.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Maryland?

Mr. LANGER. I yield.

Mr. TYDINGS. Of course, the Senator from North Dakota appreciates that I, as chairman of the committee, could not accept the amendment without breaking faith with the other members of the committee, who have not authorized me to do so.

I would say to the Senator from North Dakota that, as he has finally modified the amendment, he has made it a great deal more palatable. I cannot vote for it, but perhaps the Senate will agree with the point of view of the Senator from North Dakota. I hope the Senate will not, because I do not think the amendment is necessary. But I say that the Senator from North Dakota has made the amendment much more palatable now than it formerly was.

Mr. LANGER. Mr. President, I wish the Senator from Maryland would accept the amendment, because it is fundamentally right.

Mr. TYDINGS. Mr. President, I say to the Senator from North Dakota that I should like to have him repeat the amendment.

Mr. LANGER. Certainly. It is as follows:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave.

Mr. TYDINGS. Mr. President, I will take the amendment to conference. Of course, I do not like to be a party to any deception and I point out now that the amendment is new. It is worthy of thought. The Senator from North Dakota has made a real effort to interweave his philosophy with the exigencies and dangers involved in this whole proposition.

I will not promise that the amendment will come out of conference; but the Senator from Maryland will do his best to see to it that the amendment receives adequate consideration along the lines the Senator from North Dakota has mentioned.

Mr. LANGER. Mr. President, I am very grateful to the Senator from Maryland.

Now let me ask about section 8. What can we do there to meet the objections of Mr. Celler? I refer now to section 8 on page 12.

I may say to the distinguished Senator from Maryland that I know that provision is not right.

What I shall mention now may have no bearing at all upon this particular piece of proposed legislation, but I wish to call the attention of the distinguished Senator from Maryland to Charlie Celler.

The PRESIDING OFFICER. Will the Senator from North Dakota permit the Chair to interrupt long enough to ask whether a vote is to be taken on the amendment which already has been stated.

Mr. TYDINGS. Mr. President, the Senator from North Dakota has not yet offered the amendment. I hope he will offer his first amendment now, so that we may dispose of it.

Mr. LANGER. Mr. President, at this time I offer the following amendment to the pending measure: On page 7, strike out lines 3 to 7, inclusive, and substitute the following:

While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave.

Mr. TYDINGS. Mr. President, I accept it, with the understanding that I will take the Senator's amendment to conference, if it is adopted, for further consideration, but that I do not feel bound to insist upon it if in the light of further consideration I feel that we cannot take it; but I accept it in good faith, and will attempt to see that it is given every consideration in line with the Senator's philosophy.

Mr. LANGER. Again, Mr. President, let me say that I am very grateful to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, let me inquire about the other amendment the Senator from North Dakota has in mind.

Mr. LANGER. I have in mind an amendment to section 8, on page 12. I would offer an amendment to it.

Mr. TYDINGS. I am afraid I cannot accede to that.

Mr. LANGER. I was going to suggest that somewhere in that provision we could insert the safeguards which Mr. Celler requested, perhaps included the words "shall be provided by the Bureau of Immigration."

Mr. TYDINGS. Of course, that comes under the Attorney General. The Bureau of Immigration is under the Attorney General's Office under the new Reorganization Act.

Mr. LANGER. That is correct.

Mr. TYDINGS. If the Senator from North Dakota would like me to add: Whenever the Director and the Attorney General or the head of the Bureau of Immigration.

I would be inclined to go that far, in order that the Immigration authorities might be put directly on notice.

Mr. LANGER. Does the Senator from Maryland mind changing that to read "or under rules and regulations provided by the Bureau of Immigration"?

Mr. TYDINGS. I do not think that could be done, for the considerations involved would be so divergent.

But I think the Bureau of Immigration would not admit a man unless the Director

onstrated that it was rather imperative that he be permitted to come in.

Mr. LANGER. Perhaps so.

Mr. TYDINGS. Mr. President, on behalf of this compromise arrangement, I ask that we consider an amendment, as coming from the Senator from North Dakota, as follows:

"Strike out the first two lines of section 8, on page 12, as they now appear, and insert 'Whenever the Director, the Attorney General, and the Commissioner of the Immigration Service shall determine that the entry of a particular alien into the United States,' and so forth. What the amendment does is simply to add the Commissioner of the Immigration Service. The Senator from North Dakota wants to make sure that the immigration authorities are apprized directly of the action that is proposed to be taken.

Mr. LANGER. And, I may say, would know who the alien is, and would make a record.

Mr. TYDINGS. I would accept that amendment if the Senator will offer it now, and ask for a vote.

Mr. LANGER. I offer the following amendment: On page 12, strike out line 17, and in line 13 strike out the word "General", so as to make it read:

Whenever the Director—

Mr. TYDINGS. "And the Attorney General."

Mr. LANGER. "And the Attorney General."

Mr. TYDINGS. "Or the Commissioner of Immigration."

Mr. LANGER. "Or the Commissioner of Immigration shall determine."

Mr. TYDINGS. I want the Senator from North Dakota to understand that in accepting the amendment and taking it to conference, he realizes I have not had the chance to give it all the thought that ought to go into any change, but I am accepting it in good faith. We will consider it in conference, but if it does not come back in the bill, I hope the Senator will not charge me with failure to carry out any agreement.

Mr. LANGER. The Senator from Maryland is the last person in the world I would charge with failure to carry out an agreement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. JOHNSON of Colorado. Mr. President, just a moment. The Senator from Maryland read the amendment one way, and then it is being changed, and a very serious change is being made.

Mr. TYDINGS. I read it "or."

Mr. JOHNSON of Colorado. Yes. "Or" is a far different word from "and." It will not mean anything if the word "or" is used. There would be no change in it whatever, if it is amended to read "or."

The PRESIDING OFFICER. The clerk will state the amendment again for the information of the Senate.

The LEGISLATIVE CLERK. On page 12, in line 17, it is proposed to strike out the word "and" and insert the word "or."



6954

## CONGRESSIONAL RECORD—SENATE

MAY 27

proposed to insert the words "or the Commissioner of Immigration."

Mr. TYDINGS. I ask that the word "or" be stricken out preceding "the Commissioner of Immigration," and the word "and" inserted.

The PRESIDING OFFICER. The clerk will restate the amendment, as modified.

The LEGISLATIVE CLERK. On page 12, in line 17, it is proposed to strike out the word "and" and insert a comma; and in line 18, after the word "General," it is proposed to insert the words "and the Commissioner of Immigration."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota (Mr. Langer), as modified.

The amendment was agreed to.

Mr. TYDINGS. Mr. President, I hope we can now have the bill passed.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

Mr. JOHNSON of Colorado. Mr. President—

Mr. TYDINGS. Mr. President, I do not think the Senator from North Dakota desires to bring up any other matters. These are the only two matters he discussed. The Senator has left the floor. I shall keep talking for a minute or two if I have the floor, until the Senator can be contacted and asked whether he has any other matters he wants to bring up.

Mr. JOHNSON of Colorado. If the Senator does not mind, and if he has nothing else he wants to say, I shall be glad to speak for a minute or two, because I have a few thoughts to express.

Mr. TYDINGS. I shall be delighted to yield. I was only making a suggestion, so we would not take advantage of the absence of the Senator from North Dakota, in the event he had not finished.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. JOHNSON of Colorado. I wished to propound a question to the Senator from North Dakota, and I hope the Senator from Maryland will remain.

Mr. TYDINGS. I have not had luncheon yet. If it is going to take long, I think I should like to get a sandwich.

Mr. JOHNSON of Colorado. I am not going to talk very long. I assure the Senator I shall be very brief.

Mr. TYDINGS. I will remain.

Mr. JOHNSON of Colorado. I shall speak briefly, and I hope very much to the point. I trust the Senator will realize my anxiety about this legislation. I do not want to keep him from his luncheon, and I apologize to him for not having been here sooner, as I had intended to be, to hear his explanation and his argument on the bill, but I could not.

Mr. TYDINGS. I have just received word that, with the amendments adopted, the Senator from North Dakota has nothing more to say about the bill.

Mr. JOHNSON of Colorado. That is fine. I do not know whether I can join the Senator from North Dakota in approving the bill with these amendments or not, but I do want to say that I

bill, but as I read the measure, it is very radical legislation. I do not know of any legislation passed by Congress which is so sweeping and which goes so far as this legislation does, except the legislation pertaining to atomic energy. I know I should feel a great deal better had the bill been referred to the Committee on the Judiciary and that committee had given attention to the sweeping provisions contained in the bill. Doubtless few Senators on the floor have the same fear of military fascism that I have; I doubt whether they have. I know that very few of us seem greatly concerned that 34 percent of all our taxes, all of our revenues, goes to the Pentagon Building. To me that is a very disturbing thing.

Perhaps I am entirely wrong; perhaps I do not comprehend the significance and effect of the pending legislation, but as I understand we are setting up in this country a military gestapo. I recall very well an argument made in this Chamber by the late Senator Norris, of Nebraska, away back in 1940. It impressed me deeply. He was arguing against the Congress of the United States setting up a gestapo in this country. I do not agree with what the Senator said in his references to the FBI, because I think the FBI has been a splendid organization, which has made a tremendous contribution to check crime and I should not want to do anything to curtail its operation. But I feel very certain that if Senator Norris were on the Senate floor today he would rise in his place to argue against the sweeping powers which are being vested in the military through this piece of legislation.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. TYDINGS. I may say to the Senator that I share every thought he has expressed about the inadvisability, the lack of necessity, and the unwarranted institution of any kind of gestapo, military or otherwise, in this country. The pending bill, as I said in my opening statement, has nothing to do with the internal affairs of the United States of America. All these men work outside the United States of America, and the bill so provides. They cannot work in the United States of America. Their functions are exclusively in foreign fields, and they are gathering, by close examination, information which it is deemed necessary for our country to have, as to where this or the other thing is going on, and as to what is taking place, so that we can make our plans accordingly. I am glad to reassure the Senator that our committee had the same thought he has so well expressed, and that there is nothing in the bill to permit internal military espionage in our country by agents constituted in the Military Establishment.

Mr. JOHNSON of Colorado. It is very comforting to have the Senator make that statement. I may say I did not know the bill was coming up today. I knew it was on the calendar, and I prom-

and what the effect of its language might be. But I have not had that opportunity. Perhaps it is all my own fault, and I regret it.

Mr. TYDINGS. I know the Senator is busy. I would say to the Senator from Colorado that the members of the Committee on Armed Services approached this proposition impelled by the same philosophy which the Senator from Colorado has expressed. We were perfectly willing to provide the Military Establishment with agents who would help in gathering pertinent military information in foreign fields. We were not willing to provide the military or any other establishment with agencies which would work in the United States in connection with our own people. There is nothing in this bill which touches the United States or is intended to touch the United States, except, of course, the headquarters are located here. The men must be told here what their missions are, and they must be given their instructions here, but the duties they perform are not performed in this country.

Mr. JOHNSON of Colorado. That reassures me completely.

Mr. TYDINGS. I know it does. Without that assurance, let me say that the Senator from Maryland would not be on this floor advocating the passage of the bill.

Mr. JOHNSON of Colorado. I have advocated for a long time that we develop our military information not so that we might better know what is going on all over the world. Of course, I would not want to do anything that would handicap in the slightest the agencies which we have in the field and to ferret out what is taking place all over the world. I feel that it is a tremendous importance of our intelligence. The Senator's statement is completely satisfied me, and I am in favor of his bill.

Mr. TYDINGS. I intended my words in making the statement. It is not my intention and it is not the intent of the language which we have adopted to make possible the things which the Senator has a right to fear in lieu of a close examination. We have tried by testimony, by interrogation, and by the language of the bill to do exactly what the Senator wants done, and to stop right at the water's edge.

Mr. JOHNSON of Colorado. The reason, then, that the bill has not been sent to the Committee on the Judiciary is because it would not affect in any way justice within the United States. Is that correct?

Mr. TYDINGS. That is correct. It has to do with purely military intelligence, and with no other kind of intelligence at all.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Tennessee.

Mr. McKELLAR. I want to ask the Senator from Maryland with reference to paragraph (a) of section 6, on page 10 of the bill. I read it:

(a) Transfer to and receive from other

1949

## CONGRESSIONAL RECORD—SENATE

6945

activities authorized under sections 102 and 303 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred.

Mr. TYDINGS. Would the Senator like to have my explanation of that?

Mr. McKELLAR. I doubt the wisdom of that provision. The Committee on Appropriations appropriates specifically for every department of the Government. It has been found to work extraordinarily well. I am in favor of the bill; I am not opposed to it, but I think it would be safer and better—

Mr. TYDINGS. Would the Senator like me to tell him why that language is written into the bill?

Mr. McKELLAR. Yes, I would.

Mr. TYDINGS. If this were a normal function of the Government, like, for instance, building a bridge, or buying an airplane, or providing for reforestation, or for the construction of a dam, the Senator's observation would be a very good one. But let me tell the Senator that the men who work in this particular field frequently lose their lives. As a matter of fact, to the certain knowledge of the Senator from Maryland, several have already lost their lives, and not under very pretty circumstances, because, quite often, if they are deleted, they are forced to tell why they are there, and the picture is not a pretty one. If there are vouchers containing the names and the circumstances, going through Government channels, it might be possible for foreign-espionage agents to check on who the agents are through every conceivable source of information. Therefore, if we should employ the same kind of accounting as would be employed in connection with building a bridge, strange as it may seem, expert men, skilled in detecting from little things the probabilities, are quite often able to detect who the agents are, and in that way they are tracked down and lose their lives. This is no ordinary bridge-building proposition. This is a matter of life and death, affecting men who are trying to do something to aid the security of our country and who take an enormous risk. The committee, after thorough consideration, determined that it would be better to have this general procedure followed in order to protect the men, rather than to follow the orthodox procedure, which might result in the loss of their lives. That is the reason why that language is in the bill.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall yield as soon as I complete my answer to the Senator from Tennessee.

I appreciate the observation of the Senator from Tennessee. Normally, it would be a most outrageous thing to proceed in this manner, but I think we owe there men every possible protection we

business. If we are to appropriate the necessary money, we have to do it in such a way as to "bring home the bacon," if we want our country to be secure, if we want to know how atomic energy is progressing in some other country, and what plants there may be.

I hate to discuss these matters on the floor, but there is no other way I can make the Senate have confidence in the bill than by discussing these things which I would rather not mention.

Mr. WHERRY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McNamara in the chair). Does the Senator from Maryland yield to the Senator from Nebraska?

Mr. WHERRY. Do I have the floor, or does the Senator from Maryland have the floor? I would much rather the Senator from Maryland had it, so I could ask him some questions. I ask unanimous consent that I may ask a question or two regarding section 7 of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. I shall be glad to answer the Senator's questions.

Mr. WHERRY. The section reads as follows:

Sec. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 705 of the act of August 28, 1935—

Here is the point—

and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212, of the act of June 30, 1945.

Are we doing this now?

Mr. TYDINGS. Yes.

Mr. WHERRY. Then why is it necessary to have the legislation?

Mr. TYDINGS. I think it is a question whether or not the law is being winked at unless this bill is written into law. It is written now to effect a cure. It is a question as to whether we have the authority to act. In my opinion we have not the authority, but nobody is going to raise the question.

Mr. WHERRY. But we are actually doing what is provided for in the bill?

Mr. TYDINGS. Much of it.

Mr. WHERRY. Are we going to expand what we are now doing if we get additional authority?

Mr. TYDINGS. No.

Mr. WHERRY. The intention really is to implement what we intended to do under the skeleton act?

Mr. TYDINGS. The Senator has stated it exactly: the skeleton act was passed, and this clarifies that act.

Armed Services Committee has submitted to the Senate appears a comment on section 7, to be found on page 4, as follows:

Section 7 exempts the Agency from the provisions of 5 United States Code 654, which require publication of personnel data in the Official Register of the United States. Section 7 also exempts the Bureau of the Budget from including in its public report to the Congress the Agency's personnel strength.

Does the section do any more than that?

Mr. TYDINGS. No.

Mr. WHERRY. That is all that is done, if we adopt this section?

Mr. TYDINGS. I am going to say something which the Senator already knows, but for the record. Ours will perhaps be the only Government having a law providing for such an activity. Other governments simply appropriate a disguised sum of money, without any authority of law, to handle the whole matter through some government official. We are writing the whole law out. I regret we cannot proceed in any other way. If the Senate knew about the details, it might be willing to do as other countries do, but we do not do business that way. We are not doing what other countries do. We are throwing every possible democratic safeguard around it, as we go along.

Mr. WHERRY. I want to be sure that the assertions made in the committee report state what we are doing when we adopt section 7, and that it is to exempt the agency from the provisions of law I have just mentioned.

Mr. TYDINGS. For national security only.

Mr. WHERRY. That is correct.

Mr. TYDINGS. I thank the Senator from Nebraska for his contribution.

Mr. WHERRY. I was a member of the Committee on Appropriations, with the distinguished Senator from Maryland, when we were asked for a huge appropriation for a purpose with which we were not familiar.

Mr. TYDINGS. A billion dollars.

Mr. WHERRY. Yes. It took much faith on my part, as one charged with a part of the responsibility of making appropriations, to agree to that. A billion dollars is a great deal of money. Yet we were told that it was in the interest of national security, and we asked no questions. Afterward, of course we discovered that it was for the purpose of developing the atomic bomb.

Mr. TYDINGS. This is in the same category.

Mr. WHERRY. We are now extending the authority, and I wanted to have it made indubitably certain that section 7, which to me is the meat of the bill, is included for the purposes outlined in the committee report, and does not extend beyond that.

Mr. TYDINGS. In measured words, I can answer the Senator in the affirmative.

The PRESIDING OFFICER. The bill is still open to amendment. If there be no further amendment to be offered, the question is on the passage of the

6956

## CONGRESSIONAL RECORD—SENATE

MAY 27

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2663) was read the third time and passed.

## RECIPROCAL TRADE AGREEMENT POLICY

Mr. MALONE. Mr. President, when the 1934 Trade Agreements Act comes before the Senate for the proposed 3-year extension, I intend to offer the flexible import-fee bill, which I am today placing before this body as a substitute policy. I ask unanimous consent to introduce the flexible import-fee bill, and to have it printed in the body of the Record. The flexible import-fee principle establishes a clear-cut American policy which would provide a definite basis for cooperation among the nations of the world and a definite market for foreign goods in this country.

## THE THREE-PART "FREE TRADE" PROGRAM

As a result of the administration's three-part "free trade" program, under which we are openly encouraging a large increase in imports from the European countries and urging them to become self-sufficient within and among themselves and to manipulate the price of their currency for trade advantage—many believe that this Nation is heading into a serious depression.

## FREE TRADE AND UNEMPLOYMENT

It is reported that there are more than 4,000,000 unemployed at this time and probably in excess of 10,000,000 partially unemployed in this country due principally to actual and threatened imports of products from the low-wage standard of living European and Asiatic nations.

## DEFINITE MARKET FOR FOREIGN GOODS

Under the proposal of the flexible import fee adjustment of rates, a definite market basis is established in the United States for the goods of all foreign nations, but they are the judges of their own living standards. However, under such a provision they would be encouraged to raise their wage living standards because they would immediately get credit by a corresponding reduction in the tariff or import fee, and when their standards of living approximated our own, then the objective of free trade would be an almost automatic and immediate result. But in the meantime, our wage standard of living would be protected.

## FLEXIBLE IMPORT FEE VERSUS "FREE TRADE"

This principle is in direct contrast to the free trade program of the State Department, and all subterfuge, including a manipulation of their currency values and selling under actual costs by such foreign governments to crowd another nation's products out of the foreign markets, including our own—as evidenced by a New York Times dispatch dated May 21 of this year—will be automatically stopped by the adoption of the flexible import fee principle.

Mr. President, I ask unanimous consent to have the dispatch printed in the body of the Record at this point.

THE PRESIDING OFFICER. Is there

There being no objection, the matter was ordered to be printed in the Record, as follows:

TRADE LAG STUDIED FROM ECA NATIONS—GOVERNMENT SEEKS TO LEARN WHY FLOW FROM SUCH AREAS IS NOT UP TO EXPECTATIONS—TEN BILLION SEEN POSSIBLE—WOULD MEAN THREE BILLION RISE OVER 1948, REDUCE TRADE GAP AND EASE DOLLAR SHORTAGE

Surveys under Government auspices are being quietly made in trade quarters here to ascertain why the volume of imports from European countries aided by the Economic Cooperation Administration is not larger, it was learned here yesterday.

During the past week, field surveys have been made here by a team of keymen, in which the views and experiences of active importers were sought in a wide variety of lines.

Nothing was divulged as to the information or conclusions reached during the course of the surveys, other than that the data would be of assistance in coordinating the work of official agencies.

## SCOPE OF FIELD WORK

The scope of the field work was indicated in scheduled contacts with importers of woollens, linens, laces, rayon and staple fiber, cottons, floor coverings, embroidery, metal products, needles, automobiles, leather goods, chinaware, department store goods, motorcycles, ball bearings, machinery, silverware, and footstuffs. In all, some 40 different import lines from varied countries were canvassed, it is understood.

While no official statement is likely until the reports based on the surveys are made, if then, it is an open secret that Government agencies are anxious to spur imports by the United States as a major means of strengthening world economic recovery and curbing the dollar shortage and trade deficits abroad.

Import barriers ranging from antiquated customs procedure to excessively high prices abroad in the face of a declining price trend here have been cited as the major obstacles to the larger import volume that is felt necessary to reduce the export "gap," which exceeded \$5,000,000,000 last year.

Foreign trade experts have calculated that if business conditions and national income continue favorable here, the United States could absorb \$10,000,000,000 in imports from all parts of the world. This optimum figure, buttressed by American investment and tourist spending abroad, it is believed, would support and pay for a high level of American exports.

It compares with about \$7,000,000,000 in imports for 1948.

## FIRST QUARTER IMPORTS

For the first quarter of 1949, imports were close to the 1948 level for the same period. Doubt appeared to be rising, however, that total imports in 1949 will materially exceed 1948 figures, with much depending on business conditions here.

High prices abroad have been stressed as probably the major factor tending to limit European imports. In the case of British goods, this was highlighted a few days ago by Sir Stafford Cripps, Britain's economic chief, who told a conference of editors in London that prices on export goods must be cut. Emphasizing again his position that no devaluation of sterling is contemplated, Sir Stafford noted consumer resistance on the part of American buyers who were hoping to get British goods at lower prices.

Prior to recent developments, Great Britain had set a goal of \$720,000,000 in exports to the United States and Canada for 1949. Sir Graham Cunningham has been named to head the drive, becoming head of a new department representing British industrial interests which will work closely with the Government.

## 1934 TRADE AGREEMENTS ACT

Mr. MALONE. Mr. President, it will be remembered that the Eightieth Congress extended the 1934 Trade Agreements Act for 1 year, tiding it to come up at the same time as the second-year extension of the ECA or Marshall plan appropriation and the proposed adoption of the International Trade Organization.

## PERIL POINT

We added the provision to the Trade Agreements Act that the Tariff Commission must furnish the President what we called the peril point—that is, the tariff rate or import fee below which the production of the specific product under consideration would be endangered in this country—and where the floor under wages would be ineffective and would cause unemployment or a definite lowering of our standard of living.

## PERIL POINT INEFFECTIVE

I am for the inclusion of the peril point—the danger point to employment and business as determined by the Tariff Commission in each case—at the same time feeling that it will have no practical effect except an opportunity for the President to emphasize his explanation to the Congress and to the public that naturally some sacrifices are necessary if we are to build a great foreign trade structure—the peril-point provision simply requires the President to advise Congress his reasons for disregarding the Tariff Commission's findings—there is nothing of a mandatory nature included in the provision.

## UNDER FLEXIBLE IMPORT FEE, PERIL POINT BECOMES THE TARIFF

Under the proposed flexible import fee bill provisions, the peril point, as determined by the Tariff Commission as the danger point to employment and industry, would become the tariff or import fee.

## FLEXIBLE IMPORT FEE POLICY NOT NEW

The flexible import fee policy is not new—the Sixty-seventh Congress in 1922 passed such an act which has been carried forward as section 326 of the present Tariff Act. Under the act, however, the President must initiate such changes, and rather than follow such procedure he has elected to proceed under the State Department's free-trade theory based upon the 1934 Trade Agreements Act.

My bill simply transfers the necessary action from the President to the Tariff Commission and simplifies the method of determining the peril point which would then become the tariff or import fee.

## "RECIPROCAL TRADE"—A CATCHWORD TO SELL FREE TRADE

There is no such thing as the Reciprocal Trade Act—which the 1934 Trade Agreements Act is commonly called—the words "reciprocal trade" do not occur in the 1934 Trade Agreements Act—it is not reciprocal and that is not the effect produced by the selective free-trade policy which the State Department, under the guise of the act, has pursued based on the act. The Department's theory is that the more we divide our markets with the nations of the world the less their trade.

1947

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in two instances and in each to include extraneous matter.

**SPECIAL ORDER**

The SPEAKER. Under the previous order of the House, the gentleman from Michigan (Mr. Dondero) is recognized for 20 minutes.

**THE DEADLY PARALLEL**

Mr. DONDERO. Speaker, as the crisis between this country and Russia becomes ever more tense, I think that it is time for the Congress, the Cabinet, and the people as a whole to take stock of our position in the world and to be apprised of just what is confronting them. In this understanding—or estimate—there are two important factors which may largely determine our fate. The first and most important of these is the state of our own intelligence, and the second is the intelligence or espionage nets which the Russians are operating against us.

There is good ground for the definite but regrettable conclusion that there is a concerted, well-organized, well-thought-out, and definite plan to destroy all semblances of American intelligence. We all realize that espionage, or snooping on our neighbors, is by our very nature anathema to the American people; but we also realize that in the hard-boiled, modern, realistic world intelligence is essential, nay vital, to any nation which is to survive.

The history of American intelligence and counter intelligence up until the beginning of World War II was not a pretty picture. Only in 1940 did we begin to create an American intelligence and counter intelligence unit worthy of the name. That unit was created in the War Department by Maj. Gen. Sherman Miles, who had been our military attaché in England and who visited the French Army on the Continent before the break-through of the German Army and the fall of France. General Miles was so imbued with the power of the German and Communist fifth columns in France that he bent every effort to spare America a similar fate.

Unfortunately for General Miles, as the Pearl Harbor hearings will show, intelligence took the rap for the inexcusable failure of the high command of the Army and Navy and the late President Roosevelt to accept, believe in, and act on the intelligence which was available to it and which clearly and definitely pointed not only to the immediate incidence of war, but actually to the attack on Pearl Harbor itself. General Miles was summarily relieved by our present Secretary of State, then Chief of Staff, George C. Marshall, because he had the temerity to put in writing a memorandum which set forth what happened in General George C. Marshall's office on the fatal morning of December 7, 1941. Despite this, the organization which General Miles had started to build grew of its own momentum into a worth-while intelligence and counter-intelligence organization.

General Miles' successor, the late General George V. Strong, made the fatal mistake of being an honest, true, patriotic American citizen. He gave his organization its head and told it to go after all subversive elements, either Fascist or Communist. It was this latter which resulted in the failure to keep General Strong on active duty after his retirement and lost to this Government his tremendous knowledge of international affairs. The chief spearhead of this attack on Strong, due solely to his active and aggressive action against Communists and his refusal to commission Communists in the Army and to exclude them from sensitive places, was the then Assistant Secretary of War, John J. McCloy, who used for his purpose Lt. Gen. Joseph T. McNarney, then Deputy Chief of Staff and now a four-star general and American representative on the military committee of the United Nations.

Even before the degrading and discrediting of General Strong, he and his organization were ordered to desist and refrain from all punitive action against Communists, and the fight to prevent the commissioning of Communists in the Army was overruled and all official records of subversives held by the War Department were ordered destroyed. This latter was prevented by an eleventh hour action on the part of the members of the Military Affairs Committee of the Senate, who confronted Secretary of War Stimson and Chief of Staff Marshall and demanded the revocation of an order which both of them denied having had any knowledge of its issuance. From that day down to the present, intelligence in the United States has been practically nonexistent.

As purely sop to Congress, and without any intention of creating a really truly American organization, President Truman in January 1946, created the Central Intelligence Group. He, however, practically insured its failure by placing at its head Reserve Admiral Sidney Souers, a St. Louis boy, formerly head of a defunct insurance organization, a man with absolutely no knowledge of the mechanics and technique of espionage or counter espionage. After a few months in office, Admiral Souers was succeeded by Lt. Gen. Hoyt S. Vandenberg, a brilliant young airman. Vandenberg's regime will be remembered for his using the weight of his office and White House influence to take the FBI out of the intelligence field in Latin America and to order the dissolution of the War Department's remaining secret intelligence net.

The present incumbent, Admiral Roscoe Hillekoetter, has been in office too short a time to give evidence of what may be expected of him; but it will take a strong, determined man to correct the failures and to eliminate the Communist elements which I am reliably informed are carry-overs from the old OSS and FBIS organizations which the Central Intelligence Group absorbed.

On the other hand, we are confronted with a Russian espionage net in this country which is without parallel in history. Operating today in the United

States, with the full knowledge of the Administration, are the Soviet Purchasing Commission, the Tass News Agency, Amtorg Trading Co., the delegation to the United Nations, Artkino, which is very powerful and influential in Hollywood, and of course the Embassy and diplomatic consuls in Washington, New York, San Francisco, and elsewhere. In almost all of these there are Russian citizens, citizens of satellite nations, American Communists, American Fellow-Travelers, deluded and misguided American citizens who believe that communism is nothing more than another political party and not an organization bent on the destruction of this Nation.

We have a great parallel today in what transpired in Germany and what is transpiring today in Russia—see following table. Also, we see a parallel of the actions of Hitler in the fall of France and Stalin in the fall of America. In France, highly respectable people were seduced by appeal in the name of "order" which was designed to prove that order could only be restored by the negation of what had previously been done by due process of law. In America, highly respectable people are now being seduced by a false interpretation of the meaning of freedom, liberty, democracy, individual rights, and are lending their names and influence toward destruction of the very things that have made America great, initially.

In France, Hitler created disunity in the Government, prevented its preparing adequately for war, and made relationships which could still be maintained when actual conflict came and which could be used to secure France's defeat. In America, Stalin is creating disunity in the Government by his stoges in high governmental positions even here in the Congress. He was behind the movement to render impotent and innocuous our armed forces. He has fomented strikes in industry and has delayed our reconversion.

In France, Hitler used every means possible to build up psychological channels through which his dominating ideas could be imprinted in French minds. He organized the Comité France-Allemagne to maintain social and cultural contacts between the two countries. He organized joint meetings of French and German war veterans, using for that purpose the rightist veterans organization headed by violent reactionary Jean Goy. A Brown House was established in Paris where influential French heads were entertained lavishly and convinced that the Nazis were not so bad after all.

In America, Stalin has used every means possible to build up psychological channels through which communism can be imprinted in American minds. He has organized the National Council for Soviet-American Friendship to serve as an official apologist for Soviet aggression and tyranny. He has organized in New York, Washington, and elsewhere, joint gatherings of Russian and American veterans, and our own Secretary of War and Chief of Staff have lent their names to the furtherance of the aims of this organization. There is more than one Red

*July 22, 1947*



House here in Washington today where influential American citizens are entertained lavishly and are becoming convinced that the Communists are not so bad after all.

In France Hitler employed simultaneously the more outstanding means of preparing an enemy for the kill, the operation of spies, secret agents, agitators, saboteurs, and traitors. He also used open threats and intimidations. On the one hand, the upper crust of France was being courted by the suavists and most urbane members of the Nazi group. On the other hand, there were thundered threats from Hitler, but Hitler always took pains to make it clear that the threats were for those unworthy Frenchmen who were allowing their country to sink deeper into the morass and was wooing those clear-sighted Frenchmen who agreed with the Nazis.

In America Stalin is today employing the more outstanding means of preparing the enemy for a kill. He also is using the operation of spies, secret agents, agitators, saboteurs, and traitors. On the one hand, the upper crust of America is being courted by the suavists and most urbane of the Communist group. Many of these are lending their names and influence for the political prestige, power, and authority which may accrue. On the other hand, behind the scenes, Communists whisper and thunder the threats of what to expect when we are finally crushed. Not long ago, at a meeting of the district board of the Communist Party held in one of our large cities, a high official of the Communist Party, a member of its national board, made substantially the following statement:

There must be an intensive organization in every unit of the trade-union movement to use every means to destroy and drive from industry the Red baiters. It must be made so that it is not possible for anyone to Red bait and hold his job or his health. Communists must see to it from this time forward that Red baiting is no longer a harmless pastime but that it entails actual physical peril.

But Stalin also is at great pains to make it clear that these threats are for those unworthy Americans who are resisting the coming of the new order and who are trying to make America follow the pattern envisaged by the founding fathers and their worthy successors.

In France, Hitler used the technique of simultaneous threat and inducement. He would present the alternative: Follow me and you will be happy, strong, and prosperous; refuse me and I will strike you down. In many instances in France, French papers, French politicians, and private but influential citizens would openly oppose and campaign against inclusion in the cabinet or similar positions of certain men because they feared it would offend Hitler.

In America, Stalin is today using the same technique of simultaneous threat and inducement. Many organizations known to all in this body today are offering the alternative to politicians, business executives, and men in position: Follow us and you will become prosperous

and influential; refuse us and we will purge you. There are cases in recent months where men have been rejected for appointment to governmental and public positions because they were not acceptable to the Communists in America and to Stalin and the Politbureau in Moscow.

Time does not permit me to go on, as I could, with parallel cases, but I want to make it clear from this floor today that to understand the technique and pattern of Russian espionage, coercion, threat, and smeared techniques and activities, it is absolutely necessary to understand that this activity is based on totally different premises from similar activities carried on by the nations of the west, or even those nations which have absorbed more than the sheerest veneer of western civilization and culture. It is also essential that he who concerns himself with matters of this nature needs, by all means, some sort of inner contact with the spiritual make-up of the Russian people in order not to miss out on essential details.

There are, of course, many ways in which this problem may be met and solved. Others will occur to those Members of this body who, like myself, are greatly disturbed by the inept and amateurish manner in which our national intelligence requirements are being met. If I may presume to offer suggestions to correct our very obvious deficiencies, I would list them in the following order:

First. Make intelligence a career in the Army, the Navy, the Air Forces, and not only make it possible for intelligence officers of the armed services to attain high command positions but require intelligence and experience before an officer can be selected for high command.

Second. Take the appointment of the Director of Central Intelligence out of politics, not only proscribe that he be a

civilian as this House has done with the passage of the armed services unification bill last Saturday, but also specify that he be responsible directly to the Congress and with a 15-year tenure of office; limit his activities to the preparation of national intelligence policy estimates, based on information and intelligence collected by State, War, and Navy Departments.

Third. Create under the Secretary of National Defense, after unification is passed, an intelligence collecting agency to serve him and the Joint Chiefs of Staff, which agency shall be responsible for the operation of all secret intelligence collection, and for all domestic and foreign counter-espionage operations, thus leaving the Federal Bureau of Investigation free and unfettered to devote its entire time and energy to the problem of domestic law enforcement, a field in which it is preeminent; thus freeing the Central Intelligence Agency to act as a high level evaluation agency for the Federal Government and rendering totally unnecessary the wasteful duplication of effort which now exists; and finally restricting the intelligence agencies of the armed forces to Military Intelligence in the broader sense of that term.

Fourth. The Congress must take an active interest in our national intelligence problem and prevent the Central Intelligence Agency, and any new agency we may create, from becoming the dumping ground of the services, where, as recently charged editorially by one of our local newspapers, it becomes a haven of refuge for superannuated colonels of G-2 and burnt-out Navy captains.

Fifth. And, most important of all, the Congress must take steps to insure that all our intelligence agencies are free from the taint and stench of communism, for these agencies are in fact our first line of defense.

#### The deadly parallel

German	Soviet
Meln Kampf.	Communist teachings—world revolution against capitalism.
Hitlerism—absolute control.	Stalinism—absolute control.
Movement into the Ruhr.	Movement into Baltic states.
Attack on Czechoslovakia.	Attack on Finland.
Occupation and division of Poland.	Occupation and division of Poland.
Pact with Soviets 1939 (to gain time).	United Nations Charter (to gain time).
One party system.	One party system.
Gestapo.	MVD Ministry of Internal Affairs.
Nationalization of industry (closed economy).	Nationalization of industry (closed economy).
Fifth columns (hunts).	Fifth column (Communist Party).
Build-up of war potential after World War I. 4-year plan of 1936 with emphasis on military development.	Build-up of war potential after World War I and II. Three-year plans, with emphasis on military development; continued emphasis on military training after World War II and now 5-year plan.
Infiltration of South America (hunts).	Infiltration of South America and all other continents. (Communist Party and trade-union movement).
Denial of democratic liberties at home and in countries occupied.	Denial of democratic liberties at home and in countries occupied and "liberated."
Seizure of all opportunities to increase power of Germany.	Seizure of all opportunities to increase power of the USSR.
United States nonrecognition of Nazi-created changes which were labelled "aggression."	United States nonrecognition of Soviet-created changes (i. e. Baltic states).
Intensive propaganda to excuse actions as "peaceful" aims.	Intensive propaganda to excuse actions as "security against future aggression."
Exploitation of "Pan Germanism," herrenvolk and völkisch.	Exploitation of Pan Slavism and theory of superiority of Soviet accomplishment.
Propaganda to influence German groups throughout the world (once a German—always a German).	Propaganda for same purpose plus forced repatriation.
Actions taken without regard to rights of other nations and in violation of existing agreements.	Actions taken without regard to rights of other nations and in violation of existing agreements (unilateral action).
Progress toward federation of Europe under Nazi control.	Progress toward federation of Europe under Communist control.
Concealment of world events from own people and twisted interpretations of those revealed.	Same plus increased restrictions on Soviet contact with foreign visitors.

UNCLASSIFIED AND INTERSERVICE AGENCIES

Australia, the New Zealand Government, and the Union of South Africa. The Combined Meteorological Committee had several subcommittees, including those on Equipment, Research and Development, Weather Communications, and Liaison.

Records.—See entry 12.

#### Combined Administrative Committee

This Committee, known also as CAAC, was established by the Combined Chiefs of Staff in June 1943 to study and make recommendations concerning matters that were not within the scope of other combined agencies. It consisted of the Joint Administrative Committee (later the Joint Logistics Committee) and representatives of the British Joint Staff Mission. The Combined Administrative Committee was the primary logistics advisory and planning committee of the Combined Chiefs of Staff throughout the war.

Records.—See entry 12.

#### Combined Civil Affairs Committee

This Committee, known also as CCAC, was established by the Combined Chiefs of Staff in July 1943 to recommend civil-affairs policies for enemy or enemy-held areas that were occupied by combined operations and to coordinate military and civilian agency interests in such matters. The United States membership consisted of one representative each of the Army, the Navy, and the State Department, with an additional civilian official who served as Chairman of the Committee. The British membership consisted of one representative of the Foreign Office, two from the British Joint Staff Mission, and one additional civilian expert. The Committee continued throughout the war.

The chief working group of the Committee was the Supply Subcommittee (CCAC/S), established in August 1943. The London Subcommittee (CCAC/L), established in January 1944, was charged with furnishing detailed guidance to the Allied forces in Europe.

Records.—See entry 12.

#### JOINT CHIEFS OF STAFF

The United States Joint Chiefs of Staff, known also as JCS, was created in view of the decision made during the Anglo-American military staff conference in Washington, December 1941-January 1942, to establish the Combined Chiefs of Staff. The Joint Chiefs of Staff became the United States representatives on the Combined Chiefs of Staff; there the Joint Chiefs of Staff was in large degree the counterpart of the already existent British Chiefs of Staff Committee. In addition to the foregoing role, the Joint Chiefs of Staff became the principal United States agency for coordination between the Army and the Navy. Although the older Joint Board did not go out of existence and the Joint Chiefs of Staff occasionally met and acted on a few residual matters in the name of the Board, in effect the Joint Chiefs of Staff superseded the Board and absorbed its functions.

NATIONAL ARCHIVES, "FEDERAL RECORDS OF WORLD WAR II," VOL. 2 (MILITARY AGENCIES), PP. 6-15 (1951).

JOINT CHIEFS OF STAFF

The first meeting of the Joint Chiefs of Staff as an organized body was held on February 9, 1942. Its original members were the Chief of Naval Operations, Admiral H. R. Stark; the Chief of Staff of the United States Army, Gen. George C. Marshall; the Commander in Chief of the United States Fleet, Admiral Ernest J. King; and the Commanding General of the Army Air Forces, Lt. Gen. Henry H. Arnold. In March 1942 the duties of the Chief of Naval Operations and of the Commander in Chief of the United States Fleet were combined in one person, Admiral King, thus reducing the membership of the Joint Chiefs of Staff to three; but in July a fourth member was again provided, namely, Admiral William D. Leahy, the newly appointed Chief of Staff to the President in respect to the latter's role as Commander in Chief of the Army and Navy. Thereafter, except for certain changes in title, the membership remained unaltered.

The functions and duties of the Joint Chiefs of Staff were not formally defined during the war period. The absence of any written definition of duties allowed great flexibility of organization and the extension of activities in accordance with the requirements of the war. The Joint Chiefs of Staff advised the President with regard to military strategy, the requirements, production, and allocation of munitions and shipping, the manpower needs of the armed forces, and matters of joint Army-Navy policy. Besides collaborating with the British as part of the Combined Chiefs of Staff, the Joint Chiefs of Staff, under the direction of the President, made joint strategic plans and issued directives to implement them. The Joint Chiefs of Staff was responsible for the strategic conduct of the war in areas for which the United States had been assigned primary responsibility, as in the Pacific. It also supervised the operations of the Office of Strategic Services and the Army and Navy Staff College. During the war period the Joint Chiefs of Staff existed informally on the basis of these continuing functions. It was given legislative recognition as a permanent agency by the National Security Act of 1947.

The Joint Chiefs of Staff organization included the Joint Chiefs of Staff themselves, the Joint Deputy Chiefs of Staff, the Secretariat, and a number of standing committees. Most of these standing committees were composed of part-time members, whose Joint Chiefs of Staff functions were auxiliary to their primary working assignments in the War or Navy Departments. Many of the standing committees were supported by full-time working subcommittees or staffs and also by *ad hoc* committees. Some of the committees, though not all, had corresponding Combined Chiefs of Staff counterparts; in most such cases the members of the Joint Chiefs of Staff committee served as the United States members of the corresponding Combined Chiefs of Staff committee. There were also many *ad hoc* committees and subcommittees at the Combined Chiefs of Staff level.

Records.—The records of the Joint Chiefs of Staff and its committees, including the United States copies of the records of the Combined Chiefs of Staff and its committees, 1942-45, are in the custody of the Secretariat, Joint Chiefs of Staff; they extend to about 950 linear feet, including some duplicate papers, and consist of agenda, minutes, charters, membership rosters, memoranda of information, case papers, correspondence, working papers, and

and Analysis Branch and the Presentation Branch, including material resulting from the work of the Office of Strategic Services in assembling, analyzing, and reporting on information to be used by the Joint Chiefs of Staff and other agencies, is in the Department of State (chiefly in its Division of Library and Reference Services), many documents having been integrated with materials from other sources into new series.

Some 300 feet of OSS records are in the National Archives, including military intelligence documents known as "Order of Battle" documents, 1942-45 (50 feet); correspondence, memoranda, and other records of the field offices at Stockholm, Sweden, and at New Delhi, India, 1942-45 (6 feet); reports on political, economic, social, and military conditions in various countries, 1942-45 (110 feet); correspondence and other records of the Europe-Africa Division of the Research and Analysis Branch, 1941-45 (15 feet); topographic maps of Europe, with annotations, showing plans for commando and other operations, 1943-45 (13 maps); property records of OSS field installations, 1942-45 (443 feet); and correspondence files of the Washington and New York offices of the Pictorial Records Section and a card file of information about persons whose photographs were obtained by OSS for various reasons, 1942-45 (33 feet). Also in the National Archives are German documentary, propaganda, and other motion pictures used by OSS during the war and motion pictures prepared by OSS (approximately 250 reels).

Some records of OSS field agencies are still abroad. In London, for example, among the records of the Office of the Geographer of the American Embassy are correspondence and other records of the Research and Analysis Branch's Map Unit, which was located in London, 1943-45 (8 feet), relating to its operations and activities; copies of maps received by the Unit, including copies of those prepared by OSS personnel in Washington (120 feet); and various OSS publications received by the Unit from Washington (2 feet). In Cairo, in a warehouse of the American Embassy, are records of the OSS field agency located there, containing information on the operations and activities of OSS personnel in the Middle East (50 feet).

Papers relating to OSS are also among the records of other wartime agencies. See, for example, the central records of the War Department (in the Adjutant General's Office) especially index sheets filed under AG 020 Office of Strategic Services, Aug. 1941-Sept. 1945, and AG 020 Strategic Services Unit, Sept. 1945 ff. A set of Accession Lists, 1942-45, prepared by the Research and Analysis Branch is on file in the Air Historical Group; and copies of "Topographic Intelligence Studies" and "Weekly Situation Reports" of the Research and Analysis Branch, as well as copies of the OSS serial, "The War This Week," are in the intelligence library of the Air Force Department. A number of Civil Affairs Guides and reports on economic problems, prepared largely by the Research and Analysis Branch, 1942-45, are in the central files of the Office of International Finance of the Treasury Department.

Records of other agencies outside the United States contain documents relating to OSS. Records of the Economic Warfare Division of the Amer-

Committee, and the Joint Post-War Committee had all been concerned with long-range civil-affairs problems, particularly those relating to surrender terms and other post-hostilities arrangements. The Joint Civil Affairs Committee was created to advise the Joint Chiefs of Staff on the military aspects of civil affairs for enemy or enemy-held areas that were occupied by joint operations. The membership of the Committee, unlike that of the Combined Civil Affairs Committee, was entirely military and consisted of three officers of the Army, one of whom was from the Air Force, and three officers of the Navy. One Army and one Navy officer were also members of the Combined Civil Affairs Committee.

Records.—See entry 12.

## OFFICE OF STRATEGIC SERVICES

The Office of Strategic Services, known also as OSS, was established by a military order of June 13, 1942, as the principal successor to the Office of the Coordinator of Information (see the volume for civilian agencies). It was assigned, under the jurisdiction of the Joint Chiefs of Staff, to perform two basic functions, (1) gathering, evaluating, and analyzing intelligence in support of the war against the Axis Powers; and (2) planning and executing operations in support of intelligence procurement. The carrying on of military psychological warfare, including propaganda, was also assigned to OSS by the Joint Chiefs of Staff. The military order establishing the agency was modified by an Executive order of March 9, 1943, which directed that certain activities involving the dissemination of propaganda abroad be handled by the Office of War Information rather than by OSS. William J. Donovan, former Coordinator of Information, served as Director of OSS throughout the life of the agency. The organization included the Director, various Deputy Directors and their respective subordinate units in or near Washington, and the field establishment, both in the continental United States and overseas. Each of these component units of OSS is separately described or mentioned in the subordinate entries below; at no given time, however, was the organization, which frequently changed, precisely as shown by those entries.

On September 14, 1945 (by OSS General Order 93), the liquidation of OSS was ordered. By an Executive order of September 20, 1945, OSS was abolished (effective October 1, 1945), and its functions, personnel, and records were divided between the State Department and the War Department.

Records.—In April 1947 the greater part of the records of OSS were in the custody of the Strategic Services Unit of the Office of the Assistant Secretary of War, a unit that had inherited the work of the archives unit established within the Registry of OSS in July 1945. These records included policy papers, operational reports, and administrative files of OSS headquarters and records of the field establishments of OSS that had been shipped to Washington. A file of printed and processed military intelligence documents assembled by OSS, 1943-45 (24 feet), is in the Departmental Records Branch, AGO. A considerable quantity of records of the Research

FRANK E. JENNIFER, MICH.  
 GEORGE W. BENDER, OHIO  
 WALTER H. JACOBI, MINN.  
 ROBERT M. RICH, PA.  
 HENRY J. LATHAM, N. Y.  
 JAMES W. WADSWORTH, N. Y.  
 PAUL ST. A. HARRISS, IND.  
 CLARENCE A. BROWN, OHIO  
 MOSES HIZLEY, OKLA.  
 J. LOUIS CROWTHER, CALIF.  
 PHILIP C. DUBOIS, ILL.  
 WALTER C. SHYDER, W. VA.  
 J. EDWARD BROWN, CALIF.  
 E. THOMAS HUGHMAN, N. Y.  
 ARTHUR L. JENKINS, PA.

## House of Representatives

COMMITTEE ON  
EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Washington, D. C.

CARTER MANASTO, ALA.  
 WILLIAM L. DAVIS, N. C.  
 JOHN J. DELANEY, PA. ST.  
 CHESTER HOLIFIELD, CALIF.  
 HENDERSON LAMMIE, GA.  
 W. J. BRYAN DOWD, S. C.  
 PORTER HARDY, ILL. VA.  
 FRANK M. GARBERT, MO.  
 CHARLES S. DEANE, N. J.  
 J. FRANK WILSON, TEX.

July 9, 1947

To the Staff:

Needed is a topical index to the hearings of the merger bill. As an illustration:

Following the word, "Economy", there should be a reference to the pages in the record where the witnesses testified on that subject.

Following the words, "Economy - not immediate", there should be a reference to the record pages.

Following the words, "Economy - ultimate", should be a similar reference.

So on down through under the topics, "Efficiency", etc.

Under the word, "Intelligence", there should be a sub-head, "Central Agency should collect, correlate, evaluate".

Another one, "Central Intelligence should not collect, correlate, evaluate".

"Intelligence - Service of the Army, Navy and State should be maintained."

As the record is read, various points will suggest themselves, together with a catch word under which the testimony should be listed.



To the Staff - #2

July 9, 1947

It means comparatively little to have an index which merely informs the reader as to the pages where the testimony of a certain witness may be found.

This sort of an index of that may be something new, but it will be of value to the members and, while the time is short, it is hoped that by utilizing the pages of the record, something worthwhile can be accomplished.

Y  
The Chairman

COPY



## *note to editors*

The Authoritative Reference on Congress and Politics  
CONGRESSIONAL QUARTERLY SERVICE 1735 K St. N.W., Washington, D.C. 20036

Nov. 7, 1963

### THE U.S. INTELLIGENCE COMMUNITY

There has been increasing Congressional concern over the secrecy and relative lack of legislative surveillance of the CIA and other intelligence bodies. But proposals for a "Joint Committee on Foreign Information and Intelligence" have powerful opposition both in Congress and in the Administration.

This story reviews U.S. intelligence activities, listing the various agencies involved, and presents the arguments for and against a "watchdog" committee over the intelligence community. Excerpts from recent House debate on the subject are also presented to give a clearer picture of the attitudes in Congress, pro and con.

*Copyright Congressional quarterly inc.  
about 650 words First + last  
page att. Intelligence community  
Remains a problem for Congress  
First + last page copied  
Two copies*

Nov. 7, 1963 Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

About 650 words

U.S. INTELLIGENCE COMMUNITY  
CONCERNS MANY CONGRESSMEN

By Congressional Quarterly

Washington, Nov. -- (CQ) -- The Nov. 1-2 coup in Viet Nam which deposed the regime of President Ngo Dinh Diem after nine years' rule resulted in part at least from the U.S. Government's dissatisfaction with the Diem regime and its encouragement of reform in Viet Nam.

The event focused attention on the possibility of more direct American intervention to effect the coup. Concern inevitably centered on the role of the Central Intelligence Agency.

The CIA is the fact and symbol of a postwar development in the nation which runs contrary to U.S. traditions of open diplomacy and non-intervention -- the practice of espionage and subversion to further national aims and protect national security. Actually, while the CIA has its spies and agents, much of its work of intelligence involves routine gathering and analysis of statistical, political and other data.

Criticism of CIA and other intelligence operations in the Government stems from revulsion against the cloak-and-dagger image, as well as annoyance at the intense secrecy which surrounds the intelligence community. Some fear the tradition of popular control of the Government, especially the military, may be undermined by the growth of para-military organs insulated from the public.

In addition, the very term "intelligence," while it attracts eager and able college graduates, implies mental faculties in the participants which critics say are not necessarily present.

Billion-Dollar Operation

Congress is particularly wary of the secrecy which covers the estimated \$1 billion-a-year operations of the CIA and other intelligence agencies in the Government.

Indeed, Congress, jealous of its role as keeper of the purse strings, rankles at not even knowing how much and where the money goes for intelligence operations. Furthermore, the Congressional role of "oversight" is frustrated when it comes to supervision of the far-flung CIA operations, which involve probably between 15,000 and 20,000 employees in the U.S. and abroad.

Thus, every year for the last ten, proposals have been made in Congress for some form of "Joint Committee on Foreign Intelligence" to give Congressional sur-

When Congress refers to the "intelligence community," it does not mean only the CIA. Here are the principal Government agencies which deal with U.S. intelligence matters:

National Security Council -- Top government officials, including the Director of CIA, who make policy.

Central Intelligence Agency -- Principal intelligence-gathering and operational agency.

U.S. Intelligence Board -- An information exchange body made up of the directors of the other agencies; chairman: Director of CIA.

Board of National Estimates -- A small group of experts in CIA who prepare intelligence estimates from other groups for submission to USIB.

President's Foreign Intelligence Advisory Board -- A citizens group to provide a continuing review of U.S. intelligence activities.

Defense Intelligence Agency -- Coordinates military intelligence. Formed in 1961, DIA is considered a potential rival to CIA.

National Security Agency -- An agent of the Defense Department. It concentrates principally on codes and ciphers.

Atomic Energy Commission, State Department, Federal Bureau of Investigations -- Each has its own intelligence activities and its member on the USIB.

(Copyright 1963, Congressional Quarterly Inc.)





## INTELLIGENCE COMMUNITY REMAINS A PROBLEM FOR CONGRESS

The Nov. 1-2 coup in Viet Nam, which deposed the regime of President Ngo Dinh Diem after nine years' rule, resulted in part at least from the U.S. Government's dissatisfaction with the Diem regime and its encouragement of reform in Viet Nam. The event focused attention on the possibility of more direct American intervention to effect the coup, and concern inevitably centered on the role of the Central Intelligence Agency.

The CIA is the fact and symbol of a postwar development in the nation which runs contrary to U.S. traditions of open diplomacy and non-intervention -- the practice of espionage and subversion to further national aims and protect national security. Actually, while the CIA has its spies and agents, much of its work of intelligence involves routine gathering and analysis of statistical, political and other data.

Criticism of CIA and other intelligence operations in the Government stems from revulsion against the cloak-and-dagger image, as well as annoyance at the intense secrecy which surrounds the intelligence community. Some fear the tradition of Democratic control of the Government, especially the military, may be undermined by the growth of para-military organs insulated from the public.

In addition, the very term "intelligence," while it attracts eager and able college graduates, implies mental faculties in the participants which critics say are not necessarily present.

Congress is particularly wary of the secrecy which covers the estimated \$1 billion-a-year operations of the CIA and other intelligence agencies in the Government. Indeed, Congress, jealous of its role as keeper of the purse strings, rankles at not even knowing how much and where the money goes for intelligence operations. Furthermore, the Congressional role of "oversight" is frustrated when it comes to supervision of the far-flung CIA operations, which probably involve between 15,000 and 20,000 employees in the U.S. and abroad.

Funds for CIA are hidden in annual appropriations for other agencies. Congress exercises only limited supervision through subcommittees of the Armed Services and Appropriations Committees.

Every year for the last ten, proposals have been made in Congress for some form of "Joint Committee on Foreign Intelligence" to give Congressional surveillance over the intelligence community in much the same manner as the Joint Atomic Energy Committee surveys the Atomic Energy Commission's activities and other nuclear affairs.

The idea of a Joint Committee on Foreign Intelligence has little chance of fulfillment in the near future, mainly because of the powerful forces in opposition to it. These are led by the President and his Administration, including the CIA, and importantly backed by the three committees in Congress which presently handle CIA matters or money -- the six-man Senate subcommittee made up of members of the Senate Armed Services and Appropriations Committees, the House Armed Services

Central Intelligence Agency Subcommittee and the House Appropriations Subcommittee on funds for intelligence activities (which itself is secret as to number and identity of members). Members of these subcommittees claim that they already provide the necessary Congressional surveillance of the intelligence community and that a joint committee for that purpose is unnecessary.

### Background

The secretive, conspiratorial and subversive nature of the Communist threat to Western security led to a major expansion of U.S. intelligence operations in the postwar era. Agencies responsible for ferreting out accurate information on Communist intentions and capabilities -- and for thwarting enemy agents -- included the Federal Bureau of Investigation, the military intelligence services of the armed forces, the Department of State, the Atomic Energy Commission, the National Security Agency and the Central Intelligence Agency. Collectively, their intelligence operations -- almost totally clothed in secrecy -- cost more than \$1 billion annually, according to informed estimates.

At the center of this intelligence community is the CIA, created by the National Security Act of 1947. It is the successor of the National Intelligence Authority, established by President Truman in 1946. Responsible to the National Security Council, CIA was given broad authority to coordinate the intelligence output of the Government and to engage in undercover operations like those of the wartime Office of Strategic Services. In 1949, Congress gave complete discretionary power over CIA personnel and funds to the Director of Central Intelligence -- a post occupied successively by Rear Admiral Roscoe H. Hillenkoetter (1947-50), Gen. Walter Bedell Smith (1950-53), Allen W. Dulles (1953-61), and John A. McCone (1961- ).

Little concerning CIA operations, whether successful or not, ever came to public attention. The agency was blamed in some quarters for the failure to give advance warning of the attack on South Korea in 1950 or of Chinese intervention that fall. Later CIA was credited with a hand in supplying Chinese Nationalist troops in Burma in 1950-54; in bringing down Iran's Premier Mossadegh in 1953 and the Arbenz regime in Guatemala in 1954; and in supporting the right-wing Nosavan regime in Laos in 1960. CIA's most spectacular success came to light as the result of a sensational failure: the shooting down of Francis Gary Powers in mid-Russia in May 1960 apparently put an end to four years of aerial reconnaissance over the U.S.S.R. by high-flying U-2s. CIA's most publicized failure came to light in April 1961 when Fidel Castro crushed an Agency-organized invasion of Cuba by rebel forces at the Bay of Pigs.

The CIA role in Viet Nam, at first in support of the Diem regime, was emphasized Oct. 4 with the recall of the CIA chief there, John H. Richardson, reportedly at

(Continued on p. 3)

has explored with the Subcommittee the most serious of agency operations in order that the members be fully informed.

At times I, as a member, am concerned with the sensitivity of this information and its serious nature for fear that I might inadvertently endanger someone's life or a highly successful operation....

As to the CIA conducting independent operation in pursuance of its own policy, the Subcommittee has examined very closely the machinery by which the Agency is in fact responsible to the policy-makers. Under the existing procedural machinery, the Agency simply cannot operate independently nor does it in fact operate as a policymaking organ of the Government. The Director is directly responsible to the President....

REP. CHET HOLIFIELD (D CALIF.). I am glad the gentleman brought this point out because, as a member of the Joint Committee on Atomic Energy, we have had close relationships with the CIA. We know what the gentleman from South Carolina says is true, that there are people who have served in this organization who are in jail and some have lost their lives. Furthermore, they are also in a situation where they cannot be protected or they cannot be claimed as a member of the CIA in the event they are captured and jailed in a foreign country.

RIVERS. If I should tell you how many of these agents we have or if I should give you some sort of a number of the agents that we have, the Soviets could merely by a matter of arithmetic figure them out and ferret them out.

For instance, when the Director decides to separate a man he cannot go into court with his case under this bill, because if he did, any espionage person could figure out exactly who these people are, how many they are, and what they do. We cannot permit this. This espionage business is a dangerous business; it is not one that I would be in. We have never been in it before.... We must have this agency and we must give them this benefit.

REP. PAUL C. JONES (D MO.). I appreciate the fact that this whole Agency has to operate under an aura of secrecy.

RIVERS. Why, certainly.

JONES. And sometimes they are inclined to carry it to the ridiculous.... At the time of the U-2 incident...I made an appointment with Mr. (Allen) Dulles (former CIA Director) to talk to him about this thing. He tried to explain it to me, but I did not get much information. In his old headquarters they had a picture of the new CIA building. Just out of idle curiosity more than anything else, I said, "Mr. Dulles, how many people will be employed in this new building?" He said, "Oh, we cannot tell you that. That is secret." To me that was an asinine reply to a question, because I think anyone knows that there was no secrecy with regard to the number of people to be employed in that new building out at the Central Intelligence Agency, because anybody who knows anything about trying to estimate the number of employees in a building could have gotten it very well; or for that matter one could count the employees entering and leaving by public highway.

The thing that disturbs me about this bill is the fact that it has been the practice throughout many years for these people to take advantage of their sensitive position and to use it for privileged treatment which is not justified....

I do not think you have given us enough information about these people at the lower levels (CIA employees), who constitute a great majority. I would want some assurance that those people are not going to get further preferred treatment under this bill. I would like to have the gentleman comment on that.

RIVERS. The gentleman has made a pretty good speech. I do not know where to start to answer his question. I allowed him to talk for five minutes. What question does he want me to answer?

JONES. I asked the gentleman first if he knew of the differential in salary between the people employed doing clerical, filing, and typing work, who were getting paid more than those people in the departments?

RIVERS. I do not know that.

JONES. I think the gentleman should know it. I think his committee should know it. I think the House is entitled to that information.

RIVERS. The bill clearly points out who would be covered.

JONES. I respectfully point out that it does not.

RIVERS. I must be stupid, because I have tried to explain that to the gentleman.

JONES. I do not think the gentleman is stupid. I think sometimes that Committee is overawed by the great secrecy under which

this Agency operates and some of the people have taken advantage of their position to keep secret some things that the Congress and the gentleman's Committee particularly are entitled to know.

REP. CLARK MACGREGOR (R MINN.). I was particularly pleased by the comments of the gentleman from South Carolina (Rivers) with respect to the nature of his Committee's knowledge of the work of the (CIA). This is particularly so because from time to time over the past three years we have heard complaints in this body and in the other body about the need for the establishment of a watchdog committee which, in my opinion, is not indicated from my knowledge of the existing committees of the Congress....

I should like to ask the gentleman...whether he agrees that the Committee on which the gentleman serves and other committees mentioned by the President (Kennedy) do maintain effective liaison over the work of the Central Intelligence Agency?

RIVERS. We do it all the time. The gentleman from Georgia (Vinson) is chairman of that subcommittee and its members meet all the time. We get all the information they have. We get a briefing on the world situation. They are totally frank. They present some very, very brilliant information before our subcommittee. They know how to figure out intelligence. It is quite an impressive thing.

JONES. I want to know if the gentleman thinks that this was justified as a matter of secrecy as to the number of employees that are working in this CIA building here in Washington?

RIVERS. I think so.

REP. CHARLES E. BENNETT (D FLA.). ...I would like to say there have been from time to time in the press and among individual Members of the House and others comments with regard to the necessity or the validity of adding another CIA committee. I think this is primarily because most Members of the Congress, or at least most members of the press and the public generally do not realize there are committees of this type in the House and Senate at the present time. So I would think, if questions are in the minds of Members of Congress, it might be an appropriate thing for these Members of Congress to treat the Committee on Armed Services and its CIA subcommittee just as they treat every other committee of the Congress and address to them the questions they have with regard to employment policies and with regard to any other policies they may have, and in this way perhaps some of this unnecessary secrecy can be removed. There is a degree of secrecy necessary in the CIA, but there is also a large area where there is no real necessity for secrecy.

REP. LESLIE C. ARENDS (R ILL.). Mr. Chairman, our Committee on Armed Services has had a Subcommittee on the (CIA) for many years. As a member of that subcommittee since its inception I have become somewhat familiar with the nature of the Agency's organization and its manifold activities. Our subcommittee has regularly inquired into the CIA's operation and from time to time have made specific inquiry into some specific aspect of its activities. Whenever a question would arise as to what the CIA had been doing in some particular area, our subcommittee would quietly but thoroughly look into it.

Naturally, all our subcommittee inquiries, investigations, and briefings were in executive session. Naturally, no reports have been issued as to our findings and recommendations. To do so would destroy the effectiveness of the Agency, and the importance of this Agency's work to our country's security cannot be too strongly emphasized....

For my part, I believe that in the CIA we have one of the finest intelligence agencies in the world....

There is one thing more I should like to emphasize with respect to the CIA. Contrary to what we read and hear from time to time, the CIA does not pursue an independent foreign policy. The Agency does not make policy. It simply gathers the facts upon which policy may be based. It simply carries out orders dictated by those who make policy.

GROSS. Mr. Chairman, if I may have the attention of the gentleman from Illinois (Arends), I would like to compliment the House Armed Services Committee on being able to get any and every type of information which they wanted from the Central Intelligence Agency. That has not been the experience of some other committees of Congress.

Mr. Chairman, I would have appreciated it had the gentleman went on today and told us who in the Cuban Bay of Pigs fiasco fell flat on their collective or individual faces.

Approved For Release 2002/10/10 : CIA-RDP90-00610R000100240001-0

(a). The provisions of Section 102 of S. 753 relating to the Central Intelligence Agency are acceptable and workable.

(b). However, if Section 102 of S. 753 is adopted by the Conference, it would be preferable if it were also to include Section 105 (c) of H.R. 4411. It gives the Director the right to terminate the employment of any employee of the Agency. This provision is extremely important at the present time, in order that any possible subversives may be removed at once.

2. Section 105 of H.R. 4411 as originally introduced is also thoroughly acceptable and workable. It is, in fact, preferable to Section 102 of S. 753. It is to be preferred for the following reasons:

(a) The salary of the Director is placed at \$14,000, which is more in keeping with the relative importance of the position within the national security structure.

(b) It authorizes the Director to terminate the employment of any employee.

(c) It more clearly delineates the functions of the Agency instead of relying on the provisions of the Executive Order of 22 January 1945.

3. By amendment, the House of Representatives has changed Section 105 (a) of H.R. 4411 to provide that the Director of Central Intelligence shall be selected only from civilian life. Previous versions had provided that the Director be selected from civilian or military life. It is hoped that the Conference will restore the provision permitting the President to select the Director either from civilian or military life. In this connection, the provisions of S. 753, attached as Tab "A", or the provisions of H.R. 4411 as originally introduced, attached as Tab "B" herewith, are both thoroughly acceptable. In addition, as an alternative, a possible compromise is submitted as Tab "C", attached hereto.

4. The provision requiring that the Director may be appointed only from civilian life appears to place an unfortunate restriction upon the Presidential power of appointment. The President should be allowed to exercise his discretion in appointing the best available Director, either from civilian or military life, depending upon the qualifications of personnel available at the time of appointment. The necessity of Senate confirmation of the Director would eliminate the possibility of a poor selection; and the Senate in its discretion would probably reject appointees from the armed services if they were continually rotated for short tours of duty. If at some time in the future we were plunged into another war, the most qualified appointee might well be a reserve officer who had entered on active duty from civilian life. The proposed restriction would prevent his appointment by the President. Such a limitation would have prevented the appointment of the Director of Strategic Services during the past war.

5. The main argument advanced in the House of Representatives against a military Director was that the people "are afraid, in this particular instance, over the possibility that there might be some sort of a Gestapo set up in this country. ... You might have a military officer who would like to do that; ... if you require a civilian to be the head of this Agency, then you will not have any danger within the Agency of military influence or military dictatorship." It is felt that this argument is an excessive interpretation of the facts. The Agency deals only with foreign intelligence. It would have none of the publicity necessary for building its Director into a public figure of such stature that he might aspire to dictatorship. The Director of Central Intelligence, heading a small organization, would never be in a position to build up that great popular following upon which dictatorship must be predicated.

The New York Herald-Tribune, commenting editorially on the above quotation, on 21 July 1947, stated that it "reaffirms the ancient American misunderstanding and suspicion of the military and military affairs, which throughout our history has always made sound military policy so difficult for the civil arm."



3. 773.

SEC. 102. (a) There is hereby established within the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof, to be appointed from the armed services or from civilian life by the President, by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of \$12,000 a year.

(b) Any commissioned officer of the armed services may be appointed to the office of Director; and his appointment to, acceptance of, and service in, such office shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, privilege, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer on the active list shall, while serving in the office of Director, receive the military pay and allowances payable to a commissioned officer of his grade and length of service and shall be paid, from any funds available to defray the expenses of the Agency, travel compensation at a rate equal to the amount by which \$12,000 exceeds the amount of his annual military pay and allowances.

H.R. 4211, as amended, introduced.  
Sec. 125 (c) There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services or from among individuals in civilian life. The Director shall receive compensation at the rate of \$14,000 a year.

(b) (1) If a commissioned officer of the armed services is appointed as Director then--

(A) in the performance of his duties as Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1), the appointment to the office of Director of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, receive the military pay and allowances (active or retired, as the case may be) payable to a commissioned officer of his grade and length of service and shall be paid, from any funds available to defray the expenses of the Agency, annual compensation at a rate equal to the amount by which \$14,000 exceeds the amount of his annual military pay and allowances.

TAB "C"

Sec. 104 (a). There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director may be appointed from the Armed Services or from civilian life by the President, by and with the advice and consent of the Senate.

The Director shall receive compensation at the rate of \$14,000 a year.

Provided, however, that, if the appointment be made from the Armed Services, such appointee shall not, so long as he may serve as such Director, be entitled to any status, office, rank or grade he may occupy or hold in the Armed Service or any emolument, perquisite, right, privilege or benefit incident to or arising out of any such status, office, rank or grade;

Provided, further, that, if a Director be appointed from the Armed Services, he shall, upon either removal from or relinquishment of such office of Director, be restored to any status, office, rank, or grade he may occupy or hold in the armed services, and shall receive any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade which he would otherwise be entitled to or would be entitled to receive had he remained in the Service instead of accepting the office of Director and acting as such;

Provided, further, that, in the event of the death of the Director, so appointed from the Armed Services, while serving in such position, his dependents shall be entitled to such compensation and benefits as they would have been entitled to had such Director maintained his status in the Armed Services; and

Provided, further, that, in the performance of his duties as Director of Central Intelligence, such appointee shall be subject to no supervision, control, restriction, or prohibition, (armed services or otherwise), other than would be operative with respect to him if he were in no way connected with the national military establishment or any component thereof.

80TH CONGRESS  
1st Session

S. 758

## IN THE SENATE OF THE UNITED STATES

MAY 14 (legislative day, APRIL 21), 1947

Referred to the Committee on Armed Services and ordered to be printed

## AMENDMENTS

Intended to be proposed by Mr. ROBERTSON of Wyoming to the bill (S. 758) to promote the national security by providing for a National Defense Establishment, which shall be administered by a Secretary of National Defense, and for a Department of the Army, a Department of the Navy, and a Department of the Air Force within the National Defense Establishment, and for the coordination of the activities of the National Defense Establishment with other departments and agencies of the Government concerned with the national security, viz:

1 On page 20, strike out line 15 and substitute there-  
2 for the following: "head thereof to be appointed from  
3 civilian life by the President. The Di-".

4 On page 20, strike out all of subsection (b) beginning  
5 at line 18 and concluding at line 10, on page 21, and reletter  
6 the following subsection.

5-14-47.—J

*Director of Central Intell.*  
*Not proposed.*



## Calendar No. 90

81ST CONGRESS }  
1st Session }

SENATE

{ REPORT  
No. 106

*First + Last  
page copied*

PROVIDING FOR THE ADMINISTRATION OF THE CENTRAL INTELLIGENCE AGENCY, ESTABLISHED PURSUANT TO SECTION 102, NATIONAL SECURITY ACT OF 1947

MARCH 10 (legislative day, FEBRUARY 21), 1949.—Ordered to be printed

Mr. TYDINGS, from the Committee on Armed Services, submitted the following

### REPORT

[To accompany H. R. 2663]

The Committee on Armed Services, to whom was referred the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, having considered the same report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to grant to the Central Intelligence Agency the authorities necessary for its proper administration. The bill deals with procurement, travel, allowances and related expenses, general authorities, and methods of expenditures of appropriated funds. Further, it protects the confidential nature of the Agency's functions and makes provisions for the overseas administration of the Agency.

#### SECTION-BY-SECTION ANALYSIS

Section 1 comprises definitions of certain terms used in the act.

Section 2 provides for a seal of office. Intelligence records contain information that is sometimes required for official use either in other departments or as evidence in legal proceedings. Unless proper authentication of copies can be made, original documents would have to be produced.

Subsection 3 (a) provides for the extension to the Agency of certain provisions of the Armed Services Procurement Act of 1947 (Public Law 413, 80th Cong.). These provisions authorize negotiation on purchases and contracts for supplies without advertising if—

There is a national emergency (sec. 2 (c) (1));

The public exigency will not admit a delay (sec. 2 (c) (2));

## ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY

5

Section 9 provides authorization for the establishment of three positions in the scientific and the professional service of the Agency. These three positions are established for the employment of outstanding men in the scientific field of foreign scientific intelligence. Similar legislation was passed by the Eightieth Congress for comparable positions in the National Military Establishment. The section establishes a salary minimum of \$10,000 and a maximum of \$15,000 per annum.

Subsection 10 (a) establishes a point of reference to which the administrative and fiscal officers of the Agency and other appropriate officers of the Government may look to determine what expenditures are authorized for the activities of the Agency. It permits sums made available to the Agency to be expended for the purposes set forth in the section. This section is necessary in view of the requirements of existing law or Comptroller General's decisions, which specify that such expenditures are not permissible unless authorized by law.

Subsection 10 (b) permits the Agency to expend sums made available to it without regard to provisions of law. It also permits the expenditure of funds for confidential purposes, to be accounted for solely by certification of the Director.

Sections 11 and 12 are the usual separability and short-title sections.

By letter to the chairman, Committee on Armed Services, the Director, Central Intelligence Agency, requested legislation similar to H. R. 2663, and later, on March 10, 1949, in an executive session of the committee, he concurred with this bill in its present form. His letter, dated February 11, 1949, in which this legislation was requested, is appended hereto, and is made a part of this report.

CENTRAL INTELLIGENCE AGENCY,  
Washington 25, D. C., February 11, 1949.

HON. MILLARD E. TYDINGS,  
Chairman, Committee on Armed Services,  
United States Senate, Washington 25, D. C.

DEAR MR. CHAIRMAN: There is submitted herewith the draft of a proposed bill to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes.

This bill is substantially the same bill which was reported out unanimously as S. 2688 by the Senate Armed Services Committee in May 1948. It passed the Senate on June 21, 1948. Due to lack of time, this bill was not called up on the floor of the House, although it had been unanimously reported out of the House Armed Services Committee.

The purpose of the bill, as set forth in the Senate Armed Services Committee report of last year (Rept. No. 1302) is: "to grant to the Central Intelligence Agency the authorities necessary for its proper administration. The bill deals with procurement, travel, allowances and related expenses, general authorities, and methods of expenditures of appropriated funds. Further, it protects the confidential nature of the Agency's functions and makes provisions for the internal administration of the Agency. In almost all instances, the powers and authorities contained in the bill already exist for some other branch of the Government, and the bill merely extends similar authorities to the Central Intelligence Agency."

This proposed bill has been resubmitted to the Bureau of the Budget, and we have been advised that they have no objection to its presentation to the Congress in its present form.

Sincerely yours,

R. H. HILLENKOTTER,  
Rear Admiral, United States Navy,  
Director of Central Intelligence.

*Return to*  
**LEGISLATIVE COUNSEL**

(c) The  
executiv  
who  
exec  
au

[PUBLIC LAW 253—80TH CONGRESS]  
[CHAPTER 343—1ST SESSION]  
[S. 753]  
AN ACT

*First & Last  
Page copied*

To promote the national security by providing for a Secretary of Defense; for a National Military Establishment; for a Department of the Army, a Department of the Navy, and a Department of the Air Force; and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SHORT TITLE

That this Act may be cited as the "National Security Act of 1947".

TABLE OF CONTENTS

Sec. 2. Declaration of policy.

TITLE I—COORDINATION FOR NATIONAL SECURITY

Sec. 101. National Security Council.  
Sec. 102. Central Intelligence Agency.  
Sec. 103. National Security Resources Board.

TITLE II—THE NATIONAL MILITARY ESTABLISHMENT

Sec. 201. National Military Establishment.  
Sec. 202. Secretary of Defense.  
Sec. 203. Military Assistants to the Secretary.  
Sec. 204. Civilian personnel.  
Sec. 205. Department of the Army.  
Sec. 206. Department of the Navy.  
Sec. 207. Department of the Air Force.  
Sec. 208. United States Air Force.  
Sec. 209. Effective date of transfers.  
Sec. 210. War Council.  
Sec. 211. Joint Chiefs of Staff.  
Sec. 212. Joint staff.  
Sec. 213. Munitions Board.  
Sec. 214. Research and Development Board.

TITLE III—MISCELLANEOUS

Sec. 301. Compensation of Secretaries.  
Sec. 302. Under Secretaries and Assistant Secretaries.  
Sec. 303. Advisory committees and personnel.  
Sec. 304. Status of transferred civilian personnel.  
Sec. 305. Saving provisions.  
Sec. 306. Transfer of funds.  
Sec. 307. Authorization for appropriations.  
Sec. 308. Definitions.  
Sec. 309. Separability.  
Sec. 310. Effective date.  
Sec. 311. Succession to the Presidency.

DECLARATION OF POLICY

SEC. 2. In enacting this legislation, it is the intent of Congress to provide a comprehensive program for the future security of the United States; to provide for the establishment of integrated policies and

The day after the day upon which the Secretary of Defense first appointed takes office, or the sixtieth day after the date of the enactment of this Act.

SUCCESSION TO THE PRESIDENCY

SEC. 311. Paragraph (1) of subsection (d) of section 1 of the Act entitled "An Act to provide for the performance of the duties of the office of President in case of the removal, resignation, death, or inability both of the President and Vice President", approved July 18, 1947, is amended by striking out "Secretary of War" and inserting in lieu thereof "Secretary of Defense", and by striking out "Secretary of the Navy,".

Approved July 26, 1947.



Public Law 15 - 83d Congress  
Chapter 16 - 1st Session  
S. 1110

AN ACT

To amend the National Security Act of 1947 to authorize the appointment of a Deputy Director of Central Intelligence, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsections (a) and (b) of section 102 of the National Security Act of 1947, as amended, is amended to read as follows:

"Sec. 102. (a) There is hereby established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence who shall be the head thereof, and with a Deputy Director of Central Intelligence who shall act for, and exercise the powers of, the Director during his absence or disability. The Director and the Deputy Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services, whether in an active or retired status, or from among individuals in civilian life: *Provided, however,* That at no time shall the two positions of the Director and Deputy Director be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status.

"(b) (1) If a commissioned officer of the armed services is appointed as Director, or Deputy Director, then—

"(A) in the performance of his duties as Director, or Deputy Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

"(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director, or Deputy Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit, or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

"(2) Except as provided in paragraph (1), the appointment to the office of Director, or Deputy Director, of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, or Deputy Director, continue to hold rank and grade not lower than that in which serving at the time of his appointment and to receive the military pay and allowances (active or retired, as the case may be, including personal money allowance) payable to a commissioned officer of his grade and length of service for which the appropriate department shall be reimbursed from any funds available to defray the expenses of the Central Intelligence Agency. He also shall be paid by the Central Intelligence Agency from such funds an annual compensation at a rate equal to the amount by which the compensation established for such position exceeds the amount of his annual military pay and allowances.

National  
Security Act  
of 1947,  
amendment.

Central Intel-  
ligence Agency:  
Director and  
Deputy Direc-  
tor.

67 Stat. 19.  
67 Stat. 20.

Commissioned  
officer as  
Director or  
Deputy Direc-  
tor.

Military  
status, etc.

Pub. Law 15

- 2 -

All 67 Stat. 20.

"(3) The rank or grade of any such commissioned officer shall, during the period in which such commissioned officer occupies the office of Director of Central Intelligence, or Deputy Director of Central Intelligence, be in addition to the numbers and percentages otherwise authorized and appropriated for the armed service of which he is a member."

Approved April 4, 1953.

F. 138 + 2297  
page copied[138] June 15 *Public Papers of the Presidents*

## 138 Letter to the Secretaries of War and Navy on Unification of the Armed Forces. June 15, 1946

*Gentlemen:*

I have read with care your joint report of May 31, 1946. It was also helpful to me to have the full oral presentation of the points involved, which you and the members of your Departments made to me on June 4th.

I am pleased and gratified at the progress you have made. I feel that we have come a long way in narrowing the zone of disagreement which had previously existed between the services. The full understanding reached on eight vital aspects of unification is a significant accomplishment. These eight elements are Council of Common Defense, National Security Resources Board, Joint Chiefs of Staff, omission of single Military Chief of Staff, Central Intelligence Agency, Procurement and Supply, Research Agencies and Military Education and Training.

In addition to these eight points of agreement, I am advised also by representatives of both services that they are in accord in their attitude toward the provision in the Thomas Bill, S. 2044, which provides for four assistant secretaries in charge of Research, Intelligence, Procurement, and Training, respectively. They believe that such assistant secretaries are unnecessary. I agree with their position that the presence of these four assistant secretaries is undesirable because they would greatly complicate the internal administration of the services and that such a plan would deprive the secretaries of the respective services of functions which are properly theirs.

Your report of May 31st listed four items upon which you were unable to agree. An analysis of your comments contained in your report, and in the lengthy discussion which

we had, discloses that the services are not nearly so far apart in their attitude toward these points as had been reported. It is my firm conviction that the determination of these questions in the manner which I present herein will result in a plan which incorporates the best features offered by the respective services.

With reference to the points upon which full agreement was not reached my position is as follows:

*1. Single military department.*

There should be one Department of National Defense. It would be under the control of a civilian who would be a member of the cabinet. Each of the services would be headed by a civilian with the title of "Secretary." These secretaries would be charged with the internal administration within their own services. They would not be members of the cabinet. Each service would retain its autonomy, subject of course to the authority and overall control by the Secretary of National Defense. It is recognized that the services have different functions and different organizations and for these reasons the integrity of each service should be retained. The civilian secretaries of the services would be members of the Council of Common Defense and in this capacity they would have the further opportunity to represent their respective services to the fullest extent.

*2. Three coordinated services.*

There should be three coordinate services—the Army, Navy and Air Force. The three services should be on a parity and should operate in a common purpose toward overall efficiency of the National Defense under the control and supervision of the Secretary of National Defense. The Secre-

[138] June 15

*Public Papers of the Presidents*

person and Forrestal substantially as they are stated in the President's letter to the Committee Chairmen (Item 137). A summary of the positions taken on the four remaining points follows:

1. Single Military Department

*War Department view.* The military establishment should be set up as a single entity, headed by a civilian of Cabinet rank with authority and responsibility for the several services. The administration and supervision of the services should, however, so far as possible be delegated to their respective heads, in order that each service should have as much freedom of development as possible, and in order that the traditions and prestige of each should not be impaired.

*Navy Department view.* There was a need for unification, but in a less drastic and extreme form. Serious disadvantages would result from combining the services into one department. Such a step would involve sacrifices of administrative autonomy and service morale. Certain advantages would result from placing a Presidential Deputy with clearly defined powers of decision over specified matters at the head of the Council of Common Defense. From this as a starting point, it would be possible to move forward toward such further measures of unification as became advisable, based on further experience.

2. Three Coordinate Branches

*War Department view.* The military establishment should contain three coordinate branches—naval, ground, and air—each of which should have a civilian head and a military commander. These officials should have access to the President, but not Cabinet rank, since that would be in derogation of the position of the civilian head of the military establishment.

*Navy Department view.* The national security required maintenance of the integrity of the Navy Department, headed by a civilian Secretary of Cabinet rank. Naval aviation, together with surface and subsurface components, had been integrated within the Navy, and similar integration by the

Army of its air and ground forces would be in the best interest of national security. However, if the alternatives were three military departments or one, the Navy preferred three departments.

3. Aviation

*War Department view.* Responsibility for the development, procurement, maintenance, and operation of the military air resources of the United States should be a function of the Air Force, with exception of enumerated responsibilities which should be vested in the Navy.

*Navy Department view.* One reason for the Navy's strong conviction against a single department was the continued efforts of the Army air forces to restrict and limit naval aviation. To accomplish its fundamental purpose, the Navy needed a certain number of landplanes for naval reconnaissance, anti-submarine warfare, and protection of shipping. Landplanes, to be effective, must be manned by naval personnel trained in naval warfare. The Navy also required air transport essential to its needs.

4. United States Marine Corps

*War Department view.* There should be maintained as a constituent part of the naval service a balanced Fleet Marine Force including its supporting air component for (1) service with the fleet in the seizure of enemy positions not involving sustained land fighting, and (2) to continue the development of tactics, techniques, and equipment relating to those phases of amphibious warfare which pertain to waterborne aspects of landing operations.

*Navy Department view.* There should be maintained as a constituent part of the naval service a balanced Fleet Marine Force including its supporting air component for (1) service with the fleet in the seizure or defense of advance naval bases or for the conduct of such limited land operations as are essential to the prosecution of a naval campaign, and (2) to continue the development of those aspects of amphibious operations which pertain to the tactics, techniques, and equipment employed by land forces.

139 Letter to the Director, Bureau of the Budget, Concerning  
Integration of Federal Medical Services. June 18, 1946

[ Released June 18, 1946. Dated June 17, 1946 ]

Dear Harold:

Enclosed is a copy of a report prepared by my Committee on the Integration of the Medical Services of the Government. Please

distribute the pertinent parts of this report to the appropriate agencies and follow up with them to insure implementation as quickly as possible.